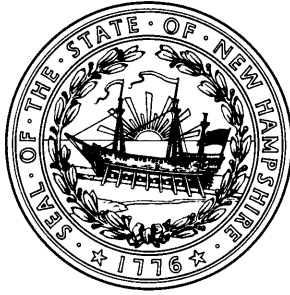


# **NEW HAMPSHIRE GENERAL COURT**



## **JOURNAL of the HOUSE OF REPRESENTATIVES**

**Containing the 2016 Session  
January 6, 2016  
through  
June 16, 2016**

**SHAWN N. JASPER  
SPEAKER**

**PAUL C. SMITH  
CLERK**

**WALTER SWORD  
SERGEANT-AT-ARMS**

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# **HOUSE JOURNAL NO. 1**

Wednesday, January 6, 2016

This day, January 6, 2016, the first Wednesday following the first Tuesday in January, being the day designated by the Constitution (Art. 3rd, Part 2nd) for assembling of the second-year session of the 164th General Court of the State of New Hampshire, at the Capitol in the City of Concord, the Speaker convened the 2016 House of Representatives and called the session to order at 10:00 a.m.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Almighty God, You have the power to renew and restore; You inspire hope and optimism as You bring us through the seasons to the start of this New Year. We pray in faith that You will give fresh wisdom and purpose to this gathering, that each member of this house would be keenly aware of the importance of the decisions made here, and how they affect the people we serve in New Hampshire and the wider world. And, as we consider those many people who are so precious to You, we pray for our colleagues and friends who are unable to be with us due to illness and restricted mobility, and for those members who are struggling in their daily lives. Please bless, heal and strengthen all who are in particular need. We remember especially today Laura Arsenault who passed unexpectedly from this world on Christmas night. We give thanks for Laura, for her years of dedicated service in this place, and for the ways she touched so many lives. We pray that You would give comfort to her family and friends, and that memories of Laura - and all those we love but see no longer - will continue to delight and inspire us throughout the cycles of seasons and years to come. Amen.

## **REMARKS BY THE SPEAKER**

At this time I would like the House to join me in remembering Laura Arsenault. Laura was a 28-year member of the staff in the Office of Legislative Services and served the members of the General Court with dedication and integrity during that time. Laura always stood ready to assist her coworkers in the office and throughout the branch and had an infectious laugh and personality that will be missed by everyone who knew her. She leaves behind a family she loved and adored and she will be remembered fondly by all of us in the General Court. Please join me in a moment of silence for Laura Arsenault.

## **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of Laura Arsenault, a 28-year staff member of the Office of Legislative Services.

Representative Ohm, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Catherine Martinez of Epsom.

## **COMMUNICATION**

VIA EMAIL December 14, 2015

To Paul C. Smith, Clerk of the House

I'm sorry to say due to health complications I must offer my resignation.

David Wood

## **CALL OF THE ROLL**

With 307 members having answered the call, the Speaker declared a quorum present.

## **LEAVES OF ABSENCE**

Reps. DiSesa, Emerson, Kellogg, Knowles, Major, Manning, Priestley, Sanders and Stephen Schmidt, the day, illness.

Reps. Abramson, Barry, Beaudoin, Bennett, Fromuth, Higgins, O'Hearne, Packard, Timothy Smith, Southworth, True and Verschueren, the day, important business.

Rep. Jeudy, the day, death in the family.

## INTRODUCTION OF GUESTS

Mackenzie Brisson, a homeschooler from Middleton and Zebulon Hildreth, a student at Hinsdale High School, Pages for the day.

Joel Weinrebe, guest of Rep. LeBreche. Nathan French, guest of Rep. Ratzki. Ed Parsons, guest of Reps. Ticehurst and Butler. Tony Lekas, Ann Leverette, Dax Seal, and Christopher Spangler, guests of Rep. Ammon. Mike Edgar, guest of Rep. Cushing. Tim and Cynthia McNeil, guests of Rep. Vose.

## RESOLUTION

Rep. Hinch offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 1100 through 1109, 1111 through 1172, 1174 through 1184, 1186 through 1311, 1313 through 1333, 1335 through 1486, 1488 through 1608, 1610 through 1642 and 1644 through 1697, House Concurrent Resolutions numbered 10 through 12, House Joint Resolutions numbered 3 through 6, House Resolutions numbered 16 through 19 and House Constitutional Amendment Concurrent Resolutions numbered 13 through 25 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

## INTRODUCTION OF HOUSE BILLS

### First, second reading and referral

**HB 1100**, relative to licensure of guides by the fish and game department. (Parent, Merr. 26; Fish and Game and Marine Resources)

**HB 1101**, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines. (Eastman, Hills. 28; McConnell, Ches. 12; McLean, Hills. 15; Adams, Hills. 26; J. Belanger, Hills. 27; Flanagan, Hills. 26; Estevez, Hills. 37; Emerson, Ches. 11; C. Roberts, Hills. 4; Shepardson, Ches. 10; Avard, Dist 12; Sanborn, Dist 9; Ways and Means)

**HB 1102**, relative to travel on ways with 3 or more lanes. (Potucek, Rock. 6; Doucette, Rock. 8; Prudhomme-O'Brien, Rock. 6; Transportation)

**HB 1103**, requiring a report on the avails and income of a tract of land granted by the state to Dartmouth College. (Cushing, Rock. 21; Legislative Administration)

**HB 1104**, relative to electric renewable energy classes. (Murotake, Hills. 32; Spillane, Rock. 2; Vose, Rock. 9; Potucek, Rock. 6; LeBrun, Hills. 32; Aldrich, Belk. 2; D. Thomas, Rock. 5; Avard, Dist 12; Science, Technology and Energy)

**HB 1105**, establishing a committee to study third party mortgage processors. (Hunt, Ches. 11; Commerce and Consumer Affairs)

**HB 1106**, relative to days on which fishing is permitted without a license. (Cushing, Rock. 21; Manley, Hills. 3; McNamara, Hills. 38; Fish and Game and Marine Resources)

**HB 1107**, changing the name of Sargent's Purchase to Marilla Ricker. (Cushing, Rock. 21; M. Hennessey, Graf. 12; Hatch, Coos 6; Feltes, Dist 15; Fuller Clark, Dist 21; Municipal and County Government)

**HB 1108**, relative to inquiries by employers into the criminal history of applicants for employment. (Heffron, Rock. 18; Takesian, Hills. 37; Ley, Ches. 9; Fuller Clark, Dist 21; Labor, Industrial and Rehabilitative Services)

**HB 1109**, relative to notice of offer for property in eminent domain cases and making the condemning entity liable for reasonable attorney's fees in certain cases. (B. Tilton, Ches. 12; Judiciary)

**HB 1110** – not introduced.

**HB 1111**, relative to securities advisory councils and committees. (Brewster, Merr. 21; Commerce and Consumer Affairs)

**HB 1112**, relative to subdivision of land. (Coffey, Hills. 25; Municipal and County Government)

**HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections. (Verschueren, Straf. 13; C. Chase, Ches. 8; Cilley, Straf. 4; J. Frazer, Merr. 13; Gardner, Straf. 15; Watters, Dist 4; Criminal Justice and Public Safety)

**HB 1114**, relative to the number of inspectors of election. (Gray, Straf. 8; Election Law)

**HB 1115**, relative to the laws governing the citizens of New Hampshire. (Edelblut, Hills. 38; Judiciary)

**HB 1116**, relative to net metering. (Edelblut, Hills. 38; O'Connor, Rock. 6; Danielson, Hills. 7; Backus, Hills. 19; Bradley, Dist 3; Little, Dist 8; Science, Technology and Energy)

**HB 1117**, establishing a child support maximum under the guidelines based on the parents' combined income. (Edelblut, Hills. 38; Children and Family Law)

- HB 1118**, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. (Edelblut, Hills. 38; Children and Family Law)
- HB 1119-L**, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. (Higgins, Graf. 12; Cloutier, Sull. 10; Crawford, Carr. 4; Sykes, Graf. 13; J. Belanger, Hills. 27; Gould, Hills. 7; Vann, Hills. 24; Chirichiello, Rock. 6; Williams, Hills. 4; Lasky, Dist 13; Municipal and County Government)
- HB 1120**, relative to teacher qualifications at charter schools. (Rollo, Straf. 18; Myler, Merr. 10; Rogers, Merr. 28; Gorman, Hills. 31; Horrigan, Straf. 6; J. Frazer, Merr. 13; C. Chase, Ches. 8; Wall, Straf. 6; Education)
- HB 1121**, relative to the academic areas that comprise the statewide assessment. (Ladd, Graf. 4; Myler, Merr. 10; Cordelli, Carr. 4; Balcom, Hills. 21; Shaw, Hills. 16; Grenier, Sull. 7; Education)
- HB 1122**, relative to limitations on supervisory positions in state employment. (D. McGuire, Merr. 21; Byron, Hills. 20; Kurk, Hills. 2; Barry, Hills. 21; LeBrun, Hills. 32; A. Christie, Rock. 37; Carson, Dist 14; Reagan, Dist 17; Executive Departments and Administration)
- HB 1123**, relative to a property tax exemption for certain stand-by generators. (C. McGuire, Merr. 29; D. McGuire, Merr. 21; Reagan, Dist 17; Municipal and County Government)
- HB 1124**, relative to the membership of the occupational therapy governing board and relative to equipment used in respiratory care practice. (C. McGuire, Merr. 29; Health, Human Services and Elderly Affairs)
- HB 1125**, requiring law enforcement officers to return stolen property. (Hoell, Merr. 23; Itse, Rock. 10; Ingbreton, Graf. 15; Abramson, Rock. 20; Jones, Straf. 24; Judiciary)
- HB 1126**, limiting the authority of delegates to Article V conventions. (Itse, Rock. 10; Eastman, Hills. 28; Hoell, Merr. 23; Ingbreton, Graf. 15; Ulery, Hills. 37; Moore, Hills. 21; Reagan, Dist 17; Legislative Administration)
- HB 1127**, relative to qualifications of referees in the superior courts and circuit courts. (Itse, Rock. 10; Hoell, Merr. 23; Ingbreton, Graf. 15; Avar, Dist 12; Judiciary)
- HB 1128**, proclaiming the second week in September as Patriot Week. (Itse, Rock. 10; Hoell, Merr. 23; Ingbreton, Graf. 15; Executive Departments and Administration)
- HB 1129**, relative to approval of fees established by the register of deeds. (E. Hennessey, Graf. 1; Bailey, Graf. 14; Sterling, Ches. 14; Coffey, Hills. 25; Cordelli, Carr. 4; Cloutier, Sull. 10; Massimilla, Graf. 1; Municipal and County Government)
- HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service. (Bates, Rock. 7; Baldasaro, Rock. 5; State-Federal Relations and Veterans Affairs)
- HB 1131**, relative to vehicles formerly used as ambulances. (Proulx, Hills. 44; Transportation)
- HB 1132**, relative to carrying a rifle or shotgun in certain vehicles. (Proulx, Hills. 44; Transportation)
- HB 1133**, relative to the maximum amount of a customer deposit which may be required under rules of the public utilities commission. (Zaricki, Hills. 6; Fisher, Belk. 9; Schleien, Hills. 37; Science, Technology and Energy)
- HB 1134**, relative to open access to broadband infrastructure. (Abramson, Rock. 20; McConnell, Ches. 12; Science, Technology and Energy)
- HB 1135**, relative to physical force in defense of a person. (Abramson, Rock. 20; McConnell, Ches. 12; Criminal Justice and Public Safety)
- HB 1136**, authorizing the fish and game department to grant awards for solutions to reducing the Asian shore crab and European green crab populations. (Abramson, Rock. 20; Fish and Game and Marine Resources)
- HB 1137**, relative to the adoption of school administrative unit budgets. (Abramson, Rock. 20; Spillane, Rock. 2; V. Sullivan, Hills. 16; Education)
- HB 1138**, relative to access to investigational drugs, biological products, and devices. (Edelblut, Hills. 38; Health, Human Services and Elderly Affairs)
- HB 1139**, establishing a committee to examine state protections from financial fraud. (Williams, Hills. 4; Butler, Carr. 7; Commerce and Consumer Affairs)
- HB 1140**, relative to financial responsibility for gas transmission pipelines. (Estevez, Hills. 37; Flanagan, Hills. 26; J. Belanger, Hills. 27; Coffey, Hills. 25; Edelblut, Hills. 38; Abramson, Rock. 20; Shepardson, Ches. 10; Emerson, Ches. 11; L. Ober, Hills. 37; McConnell, Ches. 12; Avar, Dist 12; Sanborn, Dist 9; Science, Technology and Energy)

**HB 1141**, defining “agritourism.” (Haefner, Hills. 37; Sad, Ches. 1; Environment and Agriculture)  
**HB 1142**, relative to employee compensation at certain hospitals. (Williams, Hills. 4; Executive Departments and Administration)

**HB 1143**, relative to showing a ballot. (Rideout, Coos 7; Richardson, Coos 4; Simmons, Hills. 17; Hoell, Merr. 23; G. Smith, Hills. 37; Spillane, Rock. 2; Lachance, Hills. 8; Jones, Straf. 24; Election Law)

**HB 1144-L**, relative to notice for sessions of correction of the check list. (Souza, Hills. 43; Weyler, Rock. 13; Comeau, Carr. 5; Spillane, Rock. 2; Election Law)

**HB 1145**, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3. (Gile, Merr. 27; Boehm, Hills. 20; Balcom, Hills. 21; Gorman, Hills. 31; Heath, Hills. 14; V. Sullivan, Hills. 16; Education)

**HB 1146**, relative to certificates of site and facility. (McConnell, Ches. 12; Emerson, Ches. 11; Adams, Hills. 26; B. Tilton, Ches. 12; Avard, Dist 12; Science, Technology and Energy)

**HB 1147**, requiring a report on federal landholdings within the state and establishing a moratorium on federal land acquisitions. (McConnell, Ches. 12; Hannon, Straf. 25; Abramson, Rock. 20; C. Roberts, Hills. 4; Edelblut, Hills. 38; Resources, Recreation and Development)

**HB 1148**, relative to pipeline capacity contracts. (McConnell, Ches. 12; Coffey, Hills. 25; Emerson, Ches. 11; L. Ober, Hills. 37; Byron, Hills. 20; B. Tilton, Ches. 12; Avard, Dist 12; Science, Technology and Energy)

**HB 1149**, requiring a royalty on the price of natural gas conveyed by pipeline intended for use in a foreign country. (Flanagan, Hills. 26; Coffey, Hills. 25; Emerson, Ches. 11; Byron, Hills. 20; B. Tilton, Ches. 12; Science, Technology and Energy)

**HB 1150**, relative to the penalty for failure to deliver goods under the Uniform Commercial Code. (Marple, Merr. 24; L. Christiansen, Hills. 37; Commerce and Consumer Affairs)

**HB 1151**, relative to after market tinting on side windows. (Hill, Merr. 3; Seaworth, Merr. 20; Transportation)

**HB 1152**, relative to the definition of specialty beer. (Whitehouse, Straf. 2; L. Turcotte, Straf. 4; Baldasaro, Rock. 5; Schroadter, Rock. 17; Rideout, Coos 7; Fromuth, Hills. 7; Commerce and Consumer Affairs)

**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders. (Welch, Rock. 13; Bartlett, Merr. 19; Pantelakos, Rock. 25; B. French, Merr. 6; Criminal Justice and Public Safety)

**HB 1154-FN**, authorizing and regulating the use of license plate scanning devices. (Peterson, Hills. 7; Transportation)

**HB 1155**, relative to providing choice of meters to customers of utilities. (Halstead, Hills. 23; Science, Technology and Energy)

**HB 1156**, relative to interference with traffic devices. (Higgins, Graf. 12; Baber, Straf. 14; Transportation)

**HB 1157**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Simmons, Hills. 17; Scontsas, Hills. 30; Itse, Rock. 10; D. Thomas, Rock. 5; Transportation)

**HB 1158**, relative to an exemption from the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Simmons, Hills. 17; Scontsas, Hills. 30; Itse, Rock. 10; D. Thomas, Rock. 5; Carson, Dist 14; Transportation)

**HB 1159-FN**, relative to sale of tobacco products. (Hunt, Ches. 11; Commerce and Consumer Affairs)

**HB 1160-FN**, relative to licensing spas and salons to serve alcoholic beverages. (Hunt, Ches. 11; Commerce and Consumer Affairs)

**HB 1161**, relative to the traffic safety commission. (Crawford, Carr. 4; Parker, Carr. 6; Transportation)

**HB 1162**, relative to eligibility for utility dealer registration. (Moffett, Merr. 9; Grenier, Sull. 7; Transportation)

**HB 1163**, relative to lobbying, campaign contributions, and political advertising. (Timothy Smith, Hills. 17; Irwin, Sull. 9; Bixby, Straf. 17; G. Johnsen, Ches. 7; Theberge, Coos 3; C. Chase, Ches. 8; Patten, Merr. 17; J. Frazer, Merr. 13; Bartlett, Merr. 19; Cohen, Hills. 30; Legislative Administration)

**HB 1164**, relative to contributions by a city to the county or state. (Timothy Smith, Hills. 17; P. Long, Hills. 10; Herbert, Hills. 43; Municipal and County Government)

**HB 1165**, changing “incapacitated” to “vulnerable” in the adult protective services laws. (Rogers, Merr. 28; S. Schmidt, Carr. 6; MacKay, Merr. 14; Baldasaro, Rock. 5; P. Brown, Hills. 31; Woodburn, Dist 1; Carson, Dist 14; Children and Family Law)

**HB 1166-FN**, appointing personal representatives for persons who had founded petitions before the house committee on redress of grievances. (Brewster, Merr. 21; Judiciary)

**HB 1167-FN**, repealing the administrative procedure act. (Brewster, Merr. 21; Executive Departments and Administration)

**HB 1168**, relative to decrees pro confesso in title dispute actions. (Brewster, Merr. 21; Judiciary)

**HB 1169**, prohibiting bank fees for on-line accounts. (Brewster, Merr. 21; Commerce and Consumer Affairs)

**HB 1170**, relative to special permits for OHRV operation in Jericho Mountain State Park. (Theberge, Coos 3; Massimilla, Graf. 1; Rappaport, Coos 1; Rideout, Coos 7; Y. Thomas, Coos 3; Froburg, Coos 3; Hatch, Coos 6; Richardson, Coos 4; Carson, Dist 14; Sanborn, Dist 9; Resources, Recreation and Development)

**HB 1171**, relative to appeals heard by the waste management council. (C. Christensen, Hills. 21; Ebel, Merr. 5; Birdsell, Dist 19; Environment and Agriculture)

**HB 1172**, relative to corrective action implementation of audit findings concerning Cannon Mountain. (C. Christensen, Hills. 21; Gottling, Sull. 2; Russell, Belk. 5; Eaton, Ches. 3; Carson, Dist 14; Stiles, Dist 24; Resources, Recreation and Development)

**HB 1173** – not introduced.

**HB 1174**, relative to energy sources for new natural gas transmission compressor stations. (Williams, Hills. 4; Science, Technology and Energy)

**HB 1175-FN**, relative to post-judgment real estate liens. (Lachance, Hills. 8; Backus, Hills. 19; Potucek, Rock. 6; Gallagher, Belk. 4; Judiciary)

**HB 1176**, relative to nomination and qualification of fish and game commissioners. (Parent, Merr. 26; Fish and Game and Marine Resources)

**HB 1177**, relative to permission required for baiting for game on the property of another. (Parent, Merr. 26; Fish and Game and Marine Resources)

**HB 1178**, relative to the taking of black bear assisted by a licensed guide. (Parent, Merr. 26; Fish and Game and Marine Resources)

**HB 1179-L**, relative to the taxation of manufactured housing on the land of another. (Abbott, Ches. 1; Prudhomme-O'Brien, Rock. 6; Municipal and County Government)

**HB 1180-L**, relative to the authority of towns to issue bonds for the expansion of Internet service. (Leishman, Hills. 24; Ratzki, Merr. 1; Eaton, Ches. 3; Buco, Carr. 2; Ford, Graf. 3; L. Ober, Hills. 37; Umberger, Carr. 2; Murotake, Hills. 32; Municipal and County Government)

**HB 1181**, relative to designating an alternate cemetery trustee. (McConnell, Ches. 12; C. McGuire, Merr. 29; B. Tilton, Ches. 12; Abramson, Rock. 20; Municipal and County Government)

**HB 1182-FN**, relative to fees for sales of wine by manufacturers. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Burt, Hills. 39; Reagan, Dist 17; Commerce and Consumer Affairs)

**HB 1183**, relative to election result recounts. (McConnell, Ches. 12; C. McGuire, Merr. 29; Coffey, Hills. 25; C. Roberts, Hills. 4; Abramson, Rock. 20; Shepardson, Ches. 10; Flanagan, Hills. 26; Aldrich, Belk. 2; Election Law)

**HB 1184-FN**, relative to license fees for domestic wine manufacturers. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Burt, Hills. 39; Reagan, Dist 17; Commerce and Consumer Affairs)

**HB 1185** – not introduced.

**HB 1186**, repealing the law prohibiting coasting of vehicles. (Schleien, Hills. 37; Flanagan, Hills. 26; K. Rice, Hills. 37; Spillane, Rock. 2; L. Ober, Hills. 37; Transportation)

**HB 1187-FN-L**, repealing licensure of showmen. (Schleien, Hills. 37; Fromuth, Hills. 7; Edwards, Hills. 11; Zaricki, Hills. 6; Osborne, Rock. 4; G. Smith, Hills. 37; Hull, Graf. 9; Executive Departments and Administration)

**HB 1188**, relative to the brew pub license. (Hunt, Ches. 11; D. Long, Merr. 4; Commerce and Consumer Affairs)

**HB 1189-FN**, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. (Cushing, Rock. 21; Gagnon, Sull. 5; Gile, Merr. 27; Grenier, Sull. 7; Heath, Hills. 14; Ladd, Graf. 4; Rogers, Merr. 28; Fuller Clark, Dist 21; Education)

**HB 1190**, relative to a grant of land to Dartmouth College. (Cushing, Rock. 21; Theberge, Coos 3; Hatch, Coos 6; Rappaport, Coos 1; M. Hennessey, Graf. 12; Rogers, Merr. 28; Cilley, Straf. 4; Ford, Graf. 3; Ladd, Graf. 4; Municipal and County Government)

**HB 1191**, establishing an exotic game license for hunting in a game preserve. (Cushing, Rock. 21; McNamara, Hills. 38; Grenier, Sull. 7; Oxenham, Sull. 1; Kidder, Merr. 5; Manley, Hills. 3; Irwin, Sull. 9; Fish and Game and Marine Resources)

**HB 1192-FN**, repealing the education tax credit. (Ford, Graf. 3; Rosenwald, Hills. 30; Porter, Hills. 1; Wallner, Merr. 10; Myler, Merr. 10; Berch, Ches. 1; Kelly, Dist 10; Soucy, Dist 18; Woodburn, Dist 1; Ways and Means)

**HB 1193**, relative to the wellness and primary prevention council. (B. French, Merr. 6; Fothergill, Coos 1; Wallner, Merr. 10; Fuller Clark, Dist 21; Watters, Dist 4; Carson, Dist 14; Health, Human Services and Elderly Affairs)

**HB 1194**, relative to medical benefits under motor vehicle insurance. (Bucio, Carr. 2; Umberger, Carr. 2; F. McCarthy, Carr. 2; Chandler, Carr. 1; Commerce and Consumer Affairs)

**HB 1195**, relative to prepayment contracts for petroleum products. (Hunt, Ches. 11; Commerce and Consumer Affairs)

**HB 1196**, relative to the amount of a money judgment for unpaid rent. (Chirichiello, Rock. 6; Beaudoin, Straf. 9; Burt, Hills. 39; Potucek, Rock. 6; Spillane, Rock. 2; Jones, Straf. 24; Simmons, Hills. 17; Lachance, Hills. 8; K. Rice, Hills. 37; Judiciary)

**HB 1197**, relative to conservation number plate funds. (Abrami, Rock. 19; Umberger, Carr. 2; Ways and Means)

**HB 1198-FN-L**, relative to the valuation of poles and conduits owned by telephone utilities. (Abrami, Rock. 19; Lovejoy, Rock. 36; Proulx, Hills. 44; Barry, Hills. 21; Chandler, Carr. 1; Carson, Dist 14; Lasky, Dist 13; Ways and Means)

**HB 1199**, allowing adults to play children's bingo at private campgrounds or hotels. (Webb, Rock. 6; Abramson, Rock. 20; Ferrante, Rock. 6; Grenier, Sull. 7; Pantelakos, Rock. 25; Spillane, Rock. 2; Potucek, Rock. 6; Baldasaro, Rock. 5; Cheney, Straf. 17; Lachance, Hills. 8; D'Allesandro, Dist 20; Ways and Means)

**HB 1200-L**, relative to the use of recycled glass. (Weber, Ches. 1; Sad, Ches. 1; Public Works and Highways)

**HB 1201**, relative to withdrawal from a cooperative school district. (J. Belanger, Hills. 27; Reagan, Dist 17; Education)

**HB 1202**, relative to applications submitted to a planning board. (J. Belanger, Hills. 27; Municipal and County Government)

**HB 1203**, relative to voting on variances. (J. Belanger, Hills. 27; Spang, Straf. 6; Municipal and County Government)

**HB 1204**, relative to payment of rent pending the stay of an eviction proceeding. (Abrami, Rock. 19; Groen, Straf. 10; J. Ward, Rock. 19; Stiles, Dist 24; Judiciary)

**HB 1205**, including libraries that provide children's programming in the definition of drug-free school zone. (Gray, Straf. 8; Education)

**HB 1206**, relative to limited credits. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Burt, Hills. 39; Reagan, Dist 17; Commerce and Consumer Affairs)

**HB 1207-FN**, exempting wine sample fees from the meals and rooms tax. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Cordelli, Carr. 4; Burt, Hills. 39; Carson, Dist 14; Reagan, Dist 17; Commerce and Consumer Affairs)

**HB 1208-FN**, relative to administration of the tobacco tax. (R. Ober, Hills. 37; Lovejoy, Rock. 36; Almy, Graf. 13; D'Allesandro, Dist 20; Boutin, Dist 16; Ways and Means)

**HB 1209**, relative to consultations under the telemedicine law. (MacKay, Merr. 14; Fothergill, Coos 1; Snow, Hills. 42; Ford, Graf. 3; LeBrun, Hills. 32; Sherman, Rock. 24; Reagan, Dist 17; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

**HB 1210**, relative to prescriptions for controlled drugs by telemedicine. (MacKay, Merr. 14; Fothergill, Coos 1; Snow, Hills. 42; Ford, Graf. 3; LeBrun, Hills. 32; Sherman, Rock. 24; Reagan, Dist 17; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

**HB 1211**, relative to requirements for certain alcoholic beverage licenses. (Fromuth, Hills. 7; Schleen, Hills. 37; Commerce and Consumer Affairs)

**HB 1212**, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton. (Bailey, Graf. 14; E. Hennessey, Graf. 1; Massimilla, Graf. 1; Rideout, Coos 7; Forrester, Dist 2; Public Works and Highways)

**HB 1213-FN**, repealing athletic trainer license requirements. (Fromuth, Hills. 7; Hull, Graf. 9; Executive Departments and Administration)

**HB 1214**, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax. (Pantelakos, Rock. 25; Cushing, Rock. 21; Heath, Hills. 14; McBeath, Rock. 26; DiFranco, Rock. 27; Cali-Pitts, Rock. 30; G. Ward, Rock. 28; P. Gordon, Rock. 29; Stiles, Dist 24; Soucy, Dist 18; Fuller Clark, Dist 21; Municipal and County Government)

**HB 1215-FN-A**, changing the allocation of penalty assessment funds, establishing a compensation fund for victims of crimes against the person, and continually appropriating a percentage of penalty assessments to such fund. (Brewster, Merr. 21; Finance)

**HB 1216-FN**, requiring public bodies and agencies to provide information which is not regularly kept or reported upon payment by the requestor. (Verschuere, Straf. 13; Baber, Straf. 14; J. Frazer, Merr. 13; Bixby, Straf. 17; C. Chase, Ches. 8; Watters, Dist 4; Judiciary)

**HB 1217**, relative to the duties of and meeting requirements for the judicial council. (Brewster, Merr. 21; Judiciary)

**HB 1218**, relative to levy of executions on shares in any corporation. (Brewster, Merr. 21; Judiciary)

**HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor. (Coffey, Hills. 25; Baldasaro, Rock. 5; Municipal and County Government)

**HB 1220**, relative to disqualification of election officers. (Gray, Straf. 8; Election Law)

**HB 1221**, relative to excluding certain one-time expenditures from the default budget in official ballot municipalities. (Fromuth, Hills. 7; Ammon, Hills. 40; Peterson, Hills. 7; Sanborn, Hills. 41; Murphy, Hills. 7; Gould, Hills. 7; Bickford, Straf. 3; Weyler, Rock. 13; DeLemus, Straf. 11; McKinney, Rock. 5; Sanborn, Dist 9; Municipal and County Government)

**HB 1222**, relative to procedures for appraisals by assessing officials. (Fromuth, Hills. 7; Spillane, Rock. 2; Municipal and County Government)

**HB 1223**, relative to changes of address on election day. (Gray, Straf. 8; Election Law)

**HB 1224**, establishing RV month in New Hampshire. (Weyler, Rock. 13; Burt, Hills. 39; Executive Departments and Administration)

**HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation. (Edelblut, Hills. 38; Baldasaro, Rock. 5; Pitre, Straf. 2; Education)

**HB 1226**, relative to administration of pharmaceutical agents by optometrists. (Hoell, Merr. 23; Itse, Rock. 10; Parker, Carr. 6; Cilley, Straf. 4; Soucy, Dist 18; Carson, Dist 14; Reagan, Dist 17; Executive Departments and Administration)

**HB 1227**, repealing provisions of law regulating Sunday business activities. (Schleien, Hills. 37; Horrigan, Straf. 6; Osborne, Rock. 4; K. Rice, Hills. 37; Zaricki, Hills. 6; Spillane, Rock. 2; Commerce and Consumer Affairs)

**HB 1228-FN-A**, requiring the payment of an amount paid to redeem real property and making an appropriation therefor. (Brewster, Merr. 21; Finance)

**HB 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. (Boehm, Hills. 20; V. Sullivan, Hills. 16; Cordelli, Carr. 4; Education)

**HB 1230**, relative to information on dog licenses. (Sad, Ches. 1; Municipal and County Government)

**HB 1231**, relative to school district policy regarding objectionable course material. (V. Sullivan, Hills. 16; Boehm, Hills. 20; Lachance, Hills. 8; Shaw, Hills. 16; D. Brown, Graf. 16; Hogan, Hills. 34; Avard, Dist 12; Education)

**HB 1232**, relative to visits to schools by non-academic government or private organizations. (V. Sullivan, Hills. 16; Boehm, Hills. 20; Moore, Hills. 21; Cordelli, Carr. 4; Lachance, Hills. 8; Hogan, Hills. 34; Education)

**HB 1233**, relative to the right of attendance by general court members at legislative proceedings. (Ulery, Hills. 37; Seidel, Hills. 28; Legislative Administration)

**HB 1234**, relative to the seal of the general court. (Ulery, Hills. 37; Seidel, Hills. 28; Legislative Administration)

**HB 1235**, relative to stalking. (Luther, Belk. 3; Ingbertson, Graf. 15; Criminal Justice and Public Safety)

**HB 1236**, relative to hearings on modifications of parental rights and responsibilities. (Luther, Belk. 3; Ingbertson, Graf. 15; Children and Family Law)

**HB 1237**, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children. (Luther, Belk. 3; Ingbertson, Graf. 15; Children and Family Law)

**HB 1238**, relative to income for purposes of child support. (Luther, Belk. 3; Ingbertson, Graf. 15; Children and Family Law)

- HB 1239**, relative to certain terminology in the education statutes. (Ladd, Graf. 4; Myler, Merr. 10; Balcom, Hills. 21; Gorman, Hills. 31; Gile, Merr. 27; Grenier, Sull. 7; Cordelli, Carr. 4; Education)
- HB 1240**, relative to alternatives to the statewide assessment. (Ladd, Graf. 4; Grenier, Sull. 7; Myler, Merr. 10; Balcom, Hills. 21; Gile, Merr. 27; Shaw, Hills. 16; Wolf, Hills. 7; Education)
- HB 1241**, establishing the alternative motto "scenic" for motor vehicle plates. (Suzanne Smith, Graf. 8; Parkhurst, Ches. 13; Ford, Graf. 3; Cooney, Graf. 8; C. Chase, Ches. 8; Transportation)
- HB 1242**, relative to rules of the department of transportation on driveway permits. (D. McGuire, Merr. 21; Sytek, Rock. 8; Hansen, Hills. 22; Public Works and Highways)
- HB 1243-FN-L**, relative to storm water or sewage penalties. (C. McGuire, Merr. 29; Reagan, Dist 17; Municipal and County Government)
- HB 1244-L**, relative to municipal cemeteries. (C. McGuire, Merr. 29; McConnell, Ches. 12; Seaworth, Merr. 20; Reagan, Dist 17; Municipal and County Government)
- HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference. (C. McGuire, Merr. 29; Reagan, Dist 17; Executive Departments and Administration)
- HB 1246-FN**, relative to speech-language assistants. (C. McGuire, Merr. 29; Kotowski, Merr. 24; Moffett, Merr. 9; Sauderson, Merr. 9; Reagan, Dist 17; Executive Departments and Administration)
- HB 1247**, relative to permitted gambling by private individuals. (Itse, Rock. 10; Hoell, Merr. 23; Seaworth, Merr. 20; Souza, Hills. 43; Ingretson, Graf. 15; Osborne, Rock. 4; Ways and Means)
- HB 1248**, relative to the waiver of counsel in juvenile delinquency proceedings. (Itse, Rock. 10; Edelblut, Hills. 38; Ingretson, Graf. 15; Souza, Hills. 43; Boehm, Hills. 20; Seidel, Hills. 28; Children and Family Law)
- HB 1249**, providing that persons who provide false or misleading information in an abuse or neglect proceeding shall be guilty of the crime of false swearing. (Itse, Rock. 10; Ingretson, Graf. 15; K. Rice, Hills. 37; Edelblut, Hills. 38; Olinny, Rock. 34; Lachance, Hills. 8; Seidel, Hills. 28; Hull, Graf. 9; Avard, Dist 12; Judiciary)
- HB 1250**, relative to medical neglect of children. (K. Rice, Hills. 37; Rouillard, Hills. 6; DeSimone, Rock. 14; Ulery, Hills. 37; Itse, Rock. 10; Estevez, Hills. 37; Avard, Dist 12; Children and Family Law)
- HB 1251-FN-A**, requiring the department of transportation to upgrade a portion of road in the town of Pittsfield. (Brewster, Merr. 21; Public Works and Highways)
- HB 1252**, permitting employers to pay wages to employees weekly or biweekly. (Sanborn, Hills. 41; Schroader, Rock. 17; E. Hennessey, Graf. 1; Vose, Rock. 9; McConnell, Ches. 12; Murphy, Hills. 7; Spanos, Belk. 3; D. McGuire, Merr. 21; J. Belanger, Hills. 27; Schleien, Hills. 37; Birdsell, Dist 19; Daniels, Dist 11; Labor, Industrial and Rehabilitative Services)
- HB 1253-L**, relative to the removal of land use board members and municipal officers. (Cordelli, Carr. 4; Wright, Carr. 8; Coffey, Hills. 25; F. McCarthy, Carr. 2; Municipal and County Government)
- HB 1254-FN-L**, providing an exemption from the business profits tax and the business enterprise tax for certain manufacturing businesses. (McConnell, Ches. 12; Flanagan, Hills. 26; Rideout, Coos 7; Rappaport, Coos 1; Cordelli, Carr. 4; Avellani, Carr. 5; F. McCarthy, Carr. 2; Ways and Means)
- HB 1255**, designating May 19 as a Day of Compassion. (DeSimone, Rock. 14; Gargas, Hills. 27; Friel, Rock. 14; Ford, Graf. 3; K. Rice, Hills. 37; Boutin, Dist 16; D'Allesandro, Dist 20; Executive Departments and Administration)
- HB 1256**, requiring the attorney general to prepare an inventory of all untested rape kits. (Cushing, Rock. 21; Harvey, Hills. 29; Eaton, Ches. 3; DiSesa, Straf. 16; Mangipudi, Hills. 35; Pantelakos, Rock. 25; Lovejoy, Rock. 36; Moody, Rock. 17; Lachance, Hills. 8; Hirsch, Merr. 6; Carson, Dist 14; Health, Human Services and Elderly Affairs)
- HB 1257**, relative to revocation or suspension of a driver's license because of physical impairment. (Leeman, Straf. 23; Transportation)
- HB 1258-FN**, establishing exemptions from the business profits tax and business enterprise tax for new businesses in New Hampshire. (Baroody, Hills. 43; DiSilvestro, Hills. 9; Ways and Means)
- HB 1259**, relative to liability for third party review of site plans. (Howard, Belk. 8; Cheney, Straf. 17; Beaudoin, Straf. 9; Municipal and County Government)
- HB 1260**, repealing the authority of assessing officials to obtain administrative inspection warrants to complete property appraisals. (Abramson, Rock. 20; Spillane, Rock. 2; V. Sullivan, Hills. 16; Municipal and County Government)
- HB 1261**, relative to multiple indictments in criminal prosecutions. (Abramson, Rock. 20; McConnell, Ches. 12; Criminal Justice and Public Safety)



- HB 1262**, relative to the application of zoning ordinances to home-based businesses. (Abramson, Rock. 20; Municipal and County Government)
- HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation. (Abramson, Rock. 20; Municipal and County Government)
- HB 1264**, relative to carnival or amusement ride inspections. (Saunderson, Merr. 9; Moffett, Merr. 9; Commerce and Consumer Affairs)
- HB 1265**, permitting municipalities to adopt a system of approval voting. (Schleien, Hills. 37; Edelblut, Hills. 38; Ammon, Hills. 40; Election Law)
- HB 1266**, legalizing firecrackers and smoke bombs. (Weyler, Rock. 13; Itse, Rock. 10; Burt, Hills. 39; Hull, Graf. 9; Criminal Justice and Public Safety)
- HB 1267**, relative to the family hike safe card for fish and game search and recovery expenses. (Chandler, Carr. 1; Goley, Hills. 8; Sanders, Rock. 12; Webb, Rock. 6; McKinney, Rock. 5; Bradley, Dist 3; D'Allesandro, Dist 20; Watters, Dist 4; Fish and Game and Marine Resources)
- HB 1268**, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. (Chandler, Carr. 1; Webb, Rock. 6; Sanders, Rock. 12; Goley, Hills. 8; McKinney, Rock. 5; Bradley, Dist 3; D'Allesandro, Dist 20; Watters, Dist 4; Forrester, Dist 2; Fish and Game and Marine Resources)
- HB 1269**, extending the New Hampshire health care quality assurance commission. (Rosenwald, Hills. 30; Kotowski, Merr. 24; MacKay, Merr. 14; McMahon, Rock. 7; Sherman, Rock. 24; Emerson, Ches. 11; Kelly, Dist 10; Forrester, Dist 2; Health, Human Services and Elderly Affairs)
- HB 1270**, relative to a jury's determination as to the applicability of a law. (Itse, Rock. 10; Hoell, Merr. 23; Marple, Merr. 24; Luther, Belk. 3; Eastman, Hills. 28; Seidel, Hills. 28; Hull, Graf. 9; Reagan, Dist 17; Avard, Dist 12; Judiciary)
- HB 1271**, making certain length and width exemptions concerning commercial vehicles. (Gagne, Hills. 13; Chirichiello, Rock. 6; Packard, Rock. 5; Transportation)
- HB 1272-FN**, relative to bus transportation for chartered public school students. (Prudhomme-O'Brien, Rock. 6; Green, Rock. 13; Spillane, Rock. 2; Hogan, Hills. 34; Simmons, Hills. 17; Doucette, Rock. 8; Potucek, Rock. 6; Infantine, Hills. 13; L. Turcotte, Straf. 4; Education)
- HB 1273**, requiring a medical care provider to inform a woman who is discovered to have dense breast tissue. (Prudhomme-O'Brien, Rock. 6; Estevez, Hills. 37; Hogan, Hills. 34; Green, Rock. 13; Spillane, Rock. 2; Potucek, Rock. 6; Doucette, Rock. 8; Infantine, Hills. 13; Burt, Hills. 39; Carson, Dist 14; Health, Human Services and Elderly Affairs)
- HB 1274**, establishing a committee to study the efficacy of changes in the community college system of New Hampshire. (Gile, Merr. 27; Ford, Graf. 3; Wallner, Merr. 10; Shurtleff, Merr. 11; Feltes, Dist 15; Education)
- HB 1275**, relative to net energy metering capacity. (Mann, Ches. 2; Science, Technology and Energy)
- HB 1276**, relative to a taxpayer's application for a property tax abatement. (Brewster, Merr. 21; Judiciary)
- HB 1277**, establishing a homestead act. (Brewster, Merr. 21; Municipal and County Government)
- HB 1278**, requiring payment of lawful money to employees. (Brewster, Merr. 21; Labor, Industrial and Rehabilitative Services)
- HB 1279**, relative to grounds for termination of parental rights. (Prudhomme-O'Brien, Rock. 6; Hogan, Hills. 34; Green, Rock. 13; Spillane, Rock. 2; Potucek, Rock. 6; Doucette, Rock. 8; Burt, Hills. 39; Infantine, Hills. 13; Wuelper, Straf. 3; Seidel, Hills. 28; Cataldo, Dist 6; Children and Family Law)
- HB 1280**, relative to grounds for modification of parental rights and responsibilities. (Gargas, Hills. 27; Froburg, Coos 3; DeSimone, Rock. 14; Carson, Dist 14; Children and Family Law)
- HB 1281**, relative to divorce petitions and procedures. (Gargas, Hills. 27; Froburg, Coos 3; DeSimone, Rock. 14; Judiciary)
- HB 1282**, relative to the state building code. (C. McGuire, Merr. 29; C. Roberts, Hills. 4; Executive Departments and Administration)
- HB 1283**, relative to school notification of a change in placement. (Flanagan, Hills. 26; Boutin, Dist 16; Education)
- HB 1284**, relative to highway agents. (D. McGuire, Merr. 21; C. McGuire, Merr. 29; J. Belanger, Hills. 27; Reagan, Dist 17; Municipal and County Government)
- HB 1285**, relative to the donation of food that has passed its expiration date. (D. McGuire, Merr. 21; Rouillard, Hills. 6; Health, Human Services and Elderly Affairs)
- HB 1286**, relative to days when fishing without a license is permitted. (Kidder, Merr. 5; Webb, Rock. 6; Manley, Hills. 3; Fish and Game and Marine Resources)

- HB 1287**, repealing a provision of the harassment statute. (Berch, Ches. 1; Sylvia, Belk. 6; Criminal Justice and Public Safety)
- HB 1288**, relative to the National Guard force protection policy. (Edelblut, Hills. 38; Baldasaro, Rock. 5; Tamburello, Rock. 5; Pitre, Straf. 2; Moore, Hills. 21; State-Federal Relations and Veterans Affairs)
- HB 1289**, making technical corrections to certain tax laws. (Major, Rock. 14; Almy, Graf. 13; Friel, Rock. 14; Ways and Means)
- HB 1290**, relative to filing dates for business taxes. (Major, Rock. 14; Almy, Graf. 13; Friel, Rock. 14; Ways and Means)
- HB 1291**, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court. (Eastman, Hills. 28; McConnell, Ches. 12; Edelblut, Hills. 38; Rideout, Coos 7; Hannon, Straf. 25; Avard, Dist 12; Resources, Recreation and Development)
- HB 1292**, relative to the use of abandoned agricultural property. (Haefner, Hills. 37; Sad, Ches. 1; Environment and Agriculture)
- HB 1293**, relative to the procedure for charter amendments. (Cheney, Straf. 17; Gray, Straf. 8; Souza, Hills. 43; B. Griffin, Hills. 6; Ammon, Hills. 40; L. Ober, Hills. 37; V. Fraser, Belk. 1; Municipal and County Government)
- HB 1294**, relative to exemptions from licensure as a massage therapist. (Wuelper, Straf. 3; McNamara, Hills. 38; Executive Departments and Administration)
- HB 1295-FN**, eliminating the bureau of certificate of title. (Marple, Merr. 24; L. Christiansen, Hills. 37; McClarren, Hills. 29; Transportation)
- HB 1296**, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. (Marple, Merr. 24; L. Christiansen, Hills. 37; McClarren, Hills. 29; Municipal and County Government)
- HB 1297**, relative to harm to unalienable rights of inhabitants. (Marple, Merr. 24; Ingbreton, Graf. 15; McClarren, Hills. 29; Comeau, Carr. 5; L. Christiansen, Hills. 37; Criminal Justice and Public Safety)
- HB 1298**, relative to damage to private property. (Chandler, Carr. 1; Sanders, Rock. 12; Theberge, Coos 3; Forrester, Dist 2; Bradley, Dist 3; Resources, Recreation and Development)
- HB 1299**, relative to the frequency of background checks for camp employees. (Manley, Hills. 3; McNamara, Hills. 38; Resources, Recreation and Development)
- HB 1300**, relative to the content of patriotic exercises in public schools. (Hill, Merr. 3; Jones, Straf. 24; Potucek, Rock. 6; McLean, Hills. 15; G. Smith, Hills. 37; J. Ward, Rock. 19; Lachance, Hills. 8; H. French, Merr. 2; Spillane, Rock. 2; LeBrun, Hills. 32; V. Sullivan, Hills. 16; Cordelli, Carr. 4; L. Turcotte, Straf. 4; Rideout, Coos 7; Education)
- HB 1301**, relative to the issuance of youth employment certificates. (Hill, Merr. 3; Jones, Straf. 24; Potucek, Rock. 6; McLean, Hills. 15; J. Ward, Rock. 19; L. Turcotte, Straf. 4; Lachance, Hills. 8; H. French, Merr. 2; Spillane, Rock. 2; Labor, Industrial and Rehabilitative Services)
- HB 1302**, relative to driver's license requirements for operation of a mixed use school bus. (Jones, Straf. 24; Transportation)
- HB 1303**, relative to withdrawal from a cooperative school district. (Weyer, Rock. 13; Devine, Rock. 4; True, Rock. 4; Avard, Dist 12; Birdsell, Dist 19; Education)
- HB 1304**, relative to town maintenance of a road designated as a highway to summer cottages. (Sterling, Ches. 14; Cheney, Straf. 17; Municipal and County Government)
- HB 1305**, relative to the use of an ignition interlock device after a license suspension. (Tholl, Coos 5; Criminal Justice and Public Safety)
- HB 1306**, allowing periodic payments of judgments to include assignment of wages. (Lachance, Hills. 8; Potucek, Rock. 6; Gallagher, Belk. 4; Judiciary)
- HB 1307**, relative to the procedure for amendment of condominium instruments. (Lachance, Hills. 8; Gallagher, Belk. 4; Potucek, Rock. 6; Avellani, Carr. 5; Commerce and Consumer Affairs)
- HB 1308**, allowing motorcycles to pass a vehicle in the same lane or travel between lanes of traffic in certain instances. (Lachance, Hills. 8; Jones, Straf. 24; Spillane, Rock. 2; Burt, Hills. 39; D. Thomas, Rock. 5; Moore, Hills. 21; Transportation)
- HB 1309**, adding post-traumatic stress disorder to qualifying medical conditions under therapeutic use of cannabis. (Lachance, Hills. 8; V. Sullivan, Hills. 16; Potucek, Rock. 6; Bouldin, Hills. 12; Edwards, Hills. 11; Cushing, Rock. 21; Baldasaro, Rock. 5; Aldrich, Belk. 2; Rideout, Coos 7; Avard, Dist 12; Reagan, Dist 17; Health, Human Services and Elderly Affairs)

**HB 1310**, establishing a commission to study health care for all residents of New Hampshire. (Leishman, Hills. 24; McNamara, Hills. 38; M. Smith, Straf. 6; Health, Human Services and Elderly Affairs)

**HB 1311**, relative to solitary confinement. (Myler, Merr. 10; Bartlett, Merr. 19; Spang, Straf. 6; B. French, Merr. 6; Luneau, Merr. 10; Heath, Hills. 14; Verschueren, Straf. 13; Feltes, Dist 15; Criminal Justice and Public Safety)

**HB 1312** – not introduced.

**HB 1313-FN**, relative to eligibility to vote and relative to availability of voter information. (Gannon, Rock. 4; Luther, Belk. 3; Schroadter, Rock. 17; D. Brown, Graf. 16; Election Law)

**HB 1314**, limiting the authority of state entities to regulate the sale, use, and possession of firearms. (Comeau, Carr. 5; Burt, Hills. 39; Hannon, Straf. 25; Aldrich, Belk. 2; Ammon, Hills. 40; Tamburello, Rock. 5; Goulette, Hills. 23; Baldasaro, Rock. 5; Criminal Justice and Public Safety)

**HB 1315**, adding mixed-use development to the definition of business and industrial facility. (Cheney, Straf. 17; Potucek, Rock. 6; V. Fraser, Belk. 1; Jones, Straf. 24; Knowles, Straf. 12; Emerick, Rock. 21; Lachance, Hills. 8; C. McGuire, Merr. 29; J. Ward, Rock. 19; Rouillard, Hills. 6; Stiles, Dist 24; Municipal and County Government)

**HB 1316**, relative to hospital rates for self-pay patients. (Hunt, Ches. 11; Commerce and Consumer Affairs)

**HB 1317**, renaming the North Hampton state beach as the Robert Shaw Memorial state beach. (Peckham, Rock. 22; Bush, Rock. 31; Public Works and Highways)

**HB 1318**, relative to sex offender registration. (Crawford, Carr. 4; Parker, Carr. 6; Webb, Rock. 6; Criminal Justice and Public Safety)

**HB 1319**, relative to seating assignments of members of the house of representatives. (Patten, Merr. 17; Abramson, Rock. 20; Baldasaro, Rock. 5; Legislative Administration)

**HB 1320**, relative to assignment or transfer of an operating permit issued by the department of environmental services. (Cloutier, Sull. 10; Converse, Sull. 4; Richardson, Coos 4; Science, Technology and Energy)

**HB 1321**, relative to transportation of alcoholic beverages by a minor. (Hill, Merr. 3; Spillane, Rock. 2; Seaworth, Merr. 20; Criminal Justice and Public Safety)

**HB 1322**, relative to reports to the public employee labor relations board. (Hill, Merr. 3; C. McGuire, Merr. 29; J. Ward, Rock. 19; Rideout, Coos 7; Potucek, Rock. 6; Martin, Merr. 23; Spillane, Rock. 2; LeBrun, Hills. 32; Simmons, Hills. 17; Labor, Industrial and Rehabilitative Services)

**HB 1323**, relative to nonrenewal of a teacher's contract. (Timothy Smith, Hills. 17; Education)

**HB 1324**, relative to membership of the oversight committee on health and human services. (Brewster, Merr. 21; Health, Human Services and Elderly Affairs)

**HB 1325**, relative to the election of chairs of house standing policy committees. (Brewster, Merr. 21; Legislative Administration)

**HB 1326**, prohibiting the general court from filing legislation in the second year of the session. (Brewster, Merr. 21; Legislative Administration)

**HB 1327**, relative to the statute of limitations for continuing violations of trespass. (Brewster, Merr. 21; Criminal Justice and Public Safety)

**HB 1328**, limiting pregnancy terminations to pregnancies of 20 weeks or less. (Hagan, Rock. 4; Notter, Hills. 21; Seidel, Hills. 28; Judiciary)

**HB 1329**, relative to prohibited sales of alcoholic beverages. (Zaricki, Hills. 6; Fisher, Belk. 9; Commerce and Consumer Affairs)

**HB 1330**, appointing a former prisoner to the interbranch criminal and juvenile justice council. (Theberge, Coos 3; Spang, Straf. 6; Bartlett, Merr. 19; Horrigan, Straf. 6; Massimilla, Graf. 1; Verschueren, Straf. 13; C. Christensen, Hills. 21; Edwards, Hills. 11; Criminal Justice and Public Safety)

**HB 1331**, relative to the membership of the compensation appeals board. (Goley, Hills. 8; Labor, Industrial and Rehabilitative Services)

**HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee. (Spang, Straf. 6; Suzanne Smith, Graf. 8; Gottling, Sull. 2; Oxenham, Sull. 1; Resources, Recreation and Development)

**HB 1333**, requiring that courts provide jurors with information regarding the authority of the position of juror. (Hoell, Merr. 23; Itse, Rock. 10; Goulette, Hills. 23; Rideout, Coos 7; Spillane, Rock. 2; Aldrich, Belk. 2; Ingbretson, Graf. 15; Abramson, Rock. 20; Hull, Graf. 9; Judiciary)

**HB 1334** – not introduced.

**HB 1335-FN**, relative to state testing of law enforcement officers for steroid use. (Abramson, Rock. 20; Hoell, Merr. 23; Criminal Justice and Public Safety)

**HB 1336-FN-L**, relative to interest on abatements of taxes. (Fromuth, Hills. 7; Schleien, Hills. 37; Biggie, Hills. 23; Herbert, Hills. 43; Municipal and County Government)

**HB 1337**, relative to rules of the public utilities commission on requiring deposits after disconnect notices to customers. (Fisher, Belk. 9; Schleien, Hills. 37; Science, Technology and Energy)

**HB 1338**, relative to student exemption from the statewide assessment. (Hoell, Merr. 23; Goulette, Hills. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Education)

**HB 1339**, relative to the corporate governance annual disclosure act. (Butler, Carr. 7; Hunt, Ches. 11; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

**HB 1340**, relative to producer licensing. (Butler, Carr. 7; Hunt, Ches. 11; Flanders, Belk. 3; Commerce and Consumer Affairs)

**HB 1341**, relative to employee payments to unions. (Martin, Merr. 23; Labor, Industrial and Rehabilitative Services)

**HB 1342**, prohibiting the use of certain information to underwrite insurance. (Hatch, Coos 6; Gottling, Sull. 2; Ladd, Graf. 4; Sad, Ches. 1; Eaton, Ches. 3; Commerce and Consumer Affairs)

**HB 1343**, prohibiting the retroactive application of the sex offender registry. (C. Chase, Ches. 8; Bartlett, Merr. 19; Robertson, Ches. 6; Criminal Justice and Public Safety)

**HB 1344**, prohibiting the sale or possession of sky lanterns. (Richardson, Coos 4; Goley, Hills. 8; White, Graf. 13; Soucy, Hills. 34; Tholl, Coos 5; Criminal Justice and Public Safety)

**HB 1345**, repealing the age limit for sheriffs. (Richardson, Coos 4; Cilley, Straf. 4; Tholl, Coos 5; Rideout, Coos 7; Y. Thomas, Coos 3; Theberge, Coos 3; Hatch, Coos 6; Fothergill, Coos 1; Froburg, Coos 3; Woodburn, Dist 1; Municipal and County Government)

**HB 1346**, relative to minimum wage for tipped employees. (Cilley, Straf. 4; C. Chase, Ches. 8; Ratzki, Merr. 1; Berrien, Rock. 18; Cahill, Rock. 17; R. Walsh, Hills. 11; Abramson, Rock. 20; Pierce, Dist 5; Watters, Dist 4; Labor, Industrial and Rehabilitative Services)

**HB 1347**, establishing a committee to study sharing the road with bicycles and motorcycles. (Luneau, Merr. 10; Myler, Merr. 10; Feltes, Dist 15; Transportation)

**HB 1348**, repealing the exemption for certain transactions under the consumer protection act. (Luneau, Merr. 10; Myler, Merr. 10; Weyler, Rock. 13; Butler, Carr. 7; V. Fraser, Belk. 1; Feltes, Dist 15; Commerce and Consumer Affairs)

**HB 1349**, relative to the location of the Merrimack county superior court. (Schuett, Merr. 20; D. McGuire, Merr. 21; Shurtleff, Merr. 11; MacKay, Merr. 14; Myler, Merr. 10; Alicea, Merr. 8; Doherty, Merr. 20; Luneau, Merr. 10; Karrick, Merr. 25; Carson, Merr. 7; Saunderson, Merr. 9; Public Works and Highways)

**HB 1350**, relative to allodial rights and violations of the oath of office. (Marple, Merr. 24; Comeau, Carr. 5; Itse, Rock. 10; McClarren, Hills. 29; Judiciary)

**HB 1351**, relative to the laws governing chartered public schools. (Horrigan, Straf. 6; Rollo, Straf. 18; Burton, Straf. 6; Education)

**HB 1352-FN**, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. (Byron, Hills. 20; D. McGuire, Merr. 21; Hansberry, Hills. 35; Special Committee on Public Employee Pension Plans)

**HB 1353**, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. (Byron, Hills. 20; Criminal Justice and Public Safety)

**HB 1354**, establishing a committee to study livestock and meat inspection. (Bixby, Straf. 17; Sad, Ches. 1; Environment and Agriculture)

**HB 1355**, relative to poultry producers exempted from meat inspection requirements. (Bixby, Straf. 17; Sad, Ches. 1; Environment and Agriculture)

**HB 1356**, relative to construction of the terms "resident" and "inhabitant." (Bates, Rock. 7; Flanagan, Hills. 26; Hinch, Hills. 21; Hoelzel, Rock. 3; Packard, Rock. 5; Hunt, Ches. 11; Chandler, Carr. 1; Kurk, Hills. 2; Hogan, Hills. 34; D. Thomas, Rock. 5; Election Law)

**HB 1357**, relative to the duties of the department of cultural resources. (Danielson, Hills. 7; Shurtleff, Merr. 11; Gidge, Hills. 33; Executive Departments and Administration)

**HB 1358**, regulating engine idling of certain vehicles. (Danielson, Hills. 7; Shepardson, Ches. 10; Transportation)

**HB 1359**, relative to the tax credit for service-connected disability. (Estevez, Hills. 37; Manning, Rock. 8; Doucette, Rock. 8; Marston, Hills. 19; Municipal and County Government)

**HB 1360-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire. (Eastman, Hills. 28; Gidge, Hills. 33; Gannon, Rock. 4; Baldasaro, Rock. 5; Murotake, Hills. 32; Hogan, Hills. 34; Biggie, Hills. 23; Danielson, Hills. 7; F. Rice, Rock. 21; Ways and Means)

**HB 1361**, relative to service of process by attorneys and justices of the peace. (Hull, Graf. 9; Judiciary)

**HB 1362**, requiring telephone notice where an electrical outage is expected to exceed 4 hours. (Hull, Graf. 9; Science, Technology and Energy)

**HB 1363**, relative to filling of vacancies in town offices. (Hull, Graf. 9; Municipal and County Government)

**HB 1364**, relative to the membership of the cooperative school district budget committee. (Hull, Graf. 9; Darrow, Graf. 17; Education)

**HB 1365**, requiring public schools to observe New Hampshire constitution day. (Prudhomme-O'Brien, Rock. 6; K. Rice, Hills. 37; Abramson, Rock. 20; R. Tilton, Rock. 20; Abbott, Ches. 1; R. Christie, Hills. 6; L. Turcotte, Straf. 4; Carson, Dist 14; McLean, Hills. 15; Education)

**HB 1366**, relative to the definition of educational competencies. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Education)

**HB 1367**, relative to the public utility commission's authority to implement measures to increase the reliability, cost effectiveness, efficiency, or resiliency of the electrical grid. (Oxenham, Sull. 1; McConnell, Ches. 12; Gottling, Sull. 2; Cohen, Hills. 30; Snow, Hills. 42; MacKay, Merr. 14; Mangipudi, Hills. 35; Higgins, Graf. 12; Fuller Clark, Dist 21; Science, Technology and Energy)

**HB 1368-FN**, requiring firearms owners to have liability insurance. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Horrigan, Straf. 6; Cilley, Straf. 4; C. Chase, Ches. 8; Commerce and Consumer Affairs)

**HB 1369**, requiring judges to grant earned time credits when a prisoner has substantially reduced the threat he or she poses to the public. (Robertson, Ches. 6; Spang, Straf. 6; B. French, Merr. 6; Criminal Justice and Public Safety)

**HB 1370**, relative to termination of tenancy. (Groen, Straf. 10; Judiciary)

**HB 1371**, establishing a committee to study education savings accounts for families of special needs students. (Cordelli, Carr. 4; K. Rice, Hills. 37; V. Sullivan, Hills. 16; Abramson, Rock. 20; Balcom, Hills. 21; Education)

**HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom. (Cordelli, Carr. 4; Grenier, Sull. 7; Boehm, Hills. 20; Massimilla, Graf. 1; Harris, Rock. 9; V. Sullivan, Hills. 16; Adams, Hills. 26; Avard, Dist 12; Stiles, Dist 24; Education)

**HB 1373-FN**, adding 2 alternative treatment centers under the law governing use of cannabis for therapeutic purposes. (Lachance, Hills. 8; Bouldin, Hills. 12; Baldasaro, Rock. 5; Potucek, Rock. 6; Aldrich, Belk. 2; Reagan, Dist 17; Health, Human Services and Elderly Affairs)

**HB 1374**, relative to rebates to ratepayers from the renewable energy fund. (Notter, Hills. 21; Baldasaro, Rock. 5; Tamburello, Rock. 5; W. O'Brien, Hills. 5; Stepanek, Hills. 22; Rappaport, Coos 1; Vadney, Belk. 2; Aldrich, Belk. 2; D. Thomas, Rock. 5; Science, Technology and Energy)

**HB 1375**, relative to charter commissions for budgets in official ballot jurisdictions. (Ammon, Hills. 40; Hoelzel, Rock. 3; J. Belanger, Hills. 27; Stiles, Dist 24; Municipal and County Government)

**HB 1376**, relative to temporary workers. (Cahill, Rock. 17; Richardson, Coos 4; Labor, Industrial and Rehabilitative Services)

**HB 1377**, relative to receipt of absentee ballots. (Fields, Belk. 4; Gallagher, Belk. 4; Election Law)

**HB 1378**, relative to disabled voters requiring assistance. (Fields, Belk. 4; Election Law)

**HB 1379**, amending the requirement to use English in schools. (Ammon, Hills. 40; Bouldin, Hills. 12; Education)

**HB 1380**, relative to duties of police commissions. (Gray, Straf. 8; Municipal and County Government)

**HB 1381-FN**, legalizing the sale of smoke bombs. (L. Christiansen, Hills. 37; Criminal Justice and Public Safety)

**HB 1382**, relative to the referendum procedure for public water systems. (Cheney, Straf. 17; Jones, Straf. 24; D. Thomas, Rock. 5; V. Fraser, Belk. 1; Hannon, Straf. 25; Birdsell, Dist 19; Cataldo, Dist 6; Municipal and County Government)

**HB 1383**, repealing the penalty for carrying away seaweed at night. (Abramson, Rock. 20; Burt, Hills. 39; Potucek, Rock. 6; Spillane, Rock. 2; Hull, Graf. 9; Fish and Game and Marine Resources)

- HB 1384**, clarifying powers of commissioners of deeds. (Abel, Graf. 13; Oxenham, Sull. 1; McBeath, Rock. 26; Pierce, Dist 5; Municipal and County Government)
- HB 1385-FN-A**, relative to the sale or exchange of an interest in a business organization under the business profits tax. (Lovejoy, Rock. 36; Major, Rock. 14; Abrami, Rock. 19; Ways and Means)
- HB 1386-FN**, establishing a process for petitions for redress of grievance. (Brewster, Merr. 21; Legislative Administration)
- HB 1387**, relative to vacancies in county offices. (Welch, Rock. 13; Major, Rock. 14; Weyler, Rock. 13; Eaton, Ches. 3; P. Schmidt, Straf. 19; Umberger, Carr. 2; Birdsell, Dist 19; Election Law)
- HB 1388-FN**, expanding crossbow use into muzzleloader season. (Spillane, Rock. 2; Lachance, Hills. 8; Duarte, Rock. 2; R. Christie, Hills. 6; Itse, Rock. 10; D. Long, Merr. 4; Burt, Hills. 39; Aldrich, Belk. 2; Rideout, Coos 7; Whitehouse, Straf. 2; Reagan, Dist 17; Fish and Game and Marine Resources)
- HB 1389**, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting. (Spillane, Rock. 2; Dean-Bailey, Rock. 32; Lachance, Hills. 8; C. McGuire, Merr. 29; Burt, Hills. 39; Duarte, Rock. 2; Aldrich, Belk. 2; Rideout, Coos 7; Horn, Merr. 2; Whitehouse, Straf. 2; Reagan, Dist 17; Municipal and County Government)
- HB 1390**, relative to municipal authority to restrict where registered sex offenders live. (Webb, Rock. 6; Baldasaro, Rock. 5; Prudhomme-O'Brien, Rock. 6; Spillane, Rock. 2; LeBrun, Hills. 32; Infantine, Hills. 13; P. McCarthy, Hills. 29; Crawford, Carr. 4; Birdsell, Dist 19; Municipal and County Government)
- HB 1391**, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels. (Webb, Rock. 6; Abramson, Rock. 20; Ferrante, Rock. 6; Grenier, Sull. 7; Pantelakos, Rock. 25; Abrami, Rock. 19; Potucek, Rock. 6; D. Sullivan, Hills. 42; Reagan, Dist 17; Ways and Means)
- HB 1392-L**, relative to notice of land use violations and court costs in cases brought by a municipality. (L. Turcotte, Straf. 4; Hannon, Straf. 25; Mullen, Straf. 1; Cilley, Straf. 4; Whitehouse, Straf. 2; Municipal and County Government)
- HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid. (Weyler, Rock. 13; Cordelli, Carr. 4; Boehm, Hills. 20; LeBrun, Hills. 32; Reagan, Dist 17; Birdsell, Dist 19; Education)
- HB 1394**, requiring the department of health and human services to report on the effectiveness of mental health treatment programs. (Weyler, Rock. 13; Guthrie, Rock. 13; Allen, Rock. 15; Barry, Hills. 21; Seidel, Hills. 28; Avard, Dist 12; Sanborn, Dist 9; Health, Human Services and Elderly Affairs)
- HB 1395**, relative to municipal electronic records. (C. McGuire, Merr. 29; Reagan, Dist 17; Municipal and County Government)
- HB 1396**, relative to OHRV operation on certain highways in Grafton County. (D. Brown, Graf. 16; Ingbretson, Graf. 15; Bailey, Graf. 14; Hull, Graf. 9; Darrow, Graf. 17; Chandler, Carr. 1; Forrester, Dist 2; Transportation)
- HB 1397**, establishing a committee to study improvements to the Hannah Duston Memorial. (Irwin, Sull. 9; Public Works and Highways)
- HB 1398**, establishing a commission to study septic sludge spreading. (Irwin, Sull. 9; Grenier, Sull. 7; Bridge, Sull. 6; Environment and Agriculture)
- HB 1399-FN**, requiring licensure of outpatient abortion clinics. (Souza, Hills. 43; Gould, Hills. 7; Notter, Hills. 21; Baldasaro, Rock. 5; Berube, Straf. 18; Cordelli, Carr. 4; Itse, Rock. 10; Murphy, Hills. 7; Daniels, Dist 11; Cataldo, Dist 6; Judiciary)
- HB 1400**, defining suitable person for the purpose of obtaining a license to carry a firearm and extending the term of the license. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Criminal Justice and Public Safety)
- HB 1401**, relative to public libraries. (Vose, Rock. 9; Harris, Rock. 9; Tucker, Rock. 23; D. Thomas, Rock. 5; Municipal and County Government)
- HB 1402**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Lachance, Hills. 8; Municipal and County Government)
- HB 1403**, relative to reinsurance. (Hunt, Ches. 11; Butler, Carr. 7; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

- HB 1404-FN**, relative to certain director positions in the insurance department. (Butler, Carr. 7; Hunt, Ches. 11; Flanders, Belk. 3; Executive Departments and Administration)
- HB 1405**, repealing the prohibition on after market tinted glass in motor vehicles. (Borden, Rock. 24; Transportation)
- HB 1406**, establishing a commission to study the termination of Medicaid benefits when a person enters certain state institutions or county correctional facilities. (Snow, Hills. 42; LeBrun, Hills. 32; MacKay, Merr. 14; Fothergill, Coos 1; Sherman, Rock. 24; Freitas, Hills. 14; Heath, Hills. 14; Weber, Ches. 1; Deloge, Merr. 16; Emerson, Ches. 11; Feltes, Dist 15; Stiles, Dist 24; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)
- HB 1407**, establishing a property tax credit for persons providing certain home health care services for a family member. (B. Tilton, Ches. 12; Cataldo, Dist 6; Municipal and County Government)
- HB 1408-FN**, relative to a school building inventory. (Ladd, Graf. 4; Myler, Merr. 10; Heath, Hills. 14; Shaw, Hills. 16; Gile, Merr. 27; Grenier, Sull. 7; Balcom, Hills. 21; Education)
- HB 1409**, relative to life, accident, and health insurance. (Hunt, Ches. 11; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)
- HB 1410**, relative to motor vehicle coverage. (Hunt, Ches. 11; Butler, Carr. 7; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)
- HB 1411**, making civics mandatory in public schools. (Estevez, Hills. 37; Manning, Rock. 8; Marston, Hills. 19; Education)
- HB 1412-FN**, relative to duties of the public utilities commission. (Oxenham, Sull. 1; Spang, Straf. 6; Baber, Straf. 14; Flanagan, Hills. 26; McConnell, Ches. 12; Gottling, Sull. 2; Pierce, Dist 5; Science, Technology and Energy)
- HB 1413**, establishing a commission to study processes to resolve right-to-know complaints. (Souza, Hills. 43; Ammon, Hills. 40; Cordelli, Carr. 4; Weyler, Rock. 13; Cheney, Straf. 17; Judiciary)
- HB 1414**, repealing the home education advisory council. (Hoell, Merr. 23; Itse, Rock. 10; Hannon, Straf. 25; Prudhomme-O'Brien, Rock. 6; Abramson, Rock. 20; Hull, Graf. 9; Education)
- HB 1415**, relative to escape from official custody. (Rogers, Merr. 28; Wheeler, Merr. 3; MacKay, Merr. 14; Schuett, Merr. 20; Ebel, Merr. 5; Henle, Merr. 12; Luneau, Merr. 10; Criminal Justice and Public Safety)
- HB 1416-FN**, relative to funding for state criminal background checks. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Pantelakos, Rock. 25; Horrigan, Straf. 6; C. Chase, Ches. 8; Feltes, Dist 15; Executive Departments and Administration)
- HB 1417**, relative to records of convenings of public bodies. (Sylvia, Belk. 6; True, Rock. 4; D. Brown, Graf. 16; Judiciary)
- HB 1418-L**, relative to the minutes of nonpublic sessions of public bodies. (Sylvia, Belk. 6; True, Rock. 4; D. Brown, Graf. 16; Judiciary)
- HB 1419**, relative to voting records in nonpublic sessions of public bodies. (Sylvia, Belk. 6; True, Rock. 4; D. Brown, Graf. 16; Judiciary)
- HB 1420**, relative to controlled drug prescription health and safety information. (J. Ward, Rock. 19; A. Christie, Rock. 37; Abrami, Rock. 19; Carson, Dist 14; Stiles, Dist 24; Health, Human Services and Elderly Affairs)
- HB 1421-FN**, relative to exemptions from certificate of title for a vehicle. (Ammon, Hills. 40; Spillane, Rock. 2; Aldrich, Belk. 2; Eastman, Hills. 28; Burt, Hills. 39; Hull, Graf. 9; Transportation)
- HB 1422-FN**, creating an exemption from the business profits tax for new businesses in New Hampshire. (Estevez, Hills. 37; Eastman, Hills. 28; Manning, Rock. 8; Marston, Hills. 19; Takesian, Hills. 37; Ways and Means)
- HB 1423-FN**, relative to rulemaking for prescribing controlled drugs. (Rosenwald, Hills. 30; LeBrun, Hills. 32; MacKay, Merr. 14; Kurk, Hills. 2; Sherman, Rock. 24; Kelly, Dist 10; Stiles, Dist 24; Fuller Clark, Dist 21; Bradley, Dist 3; Health, Human Services and Elderly Affairs)
- HB 1424-FN**, establishing an office of program evaluation and government accountability. (Hannon, Straf. 25; Whitehouse, Straf. 2; Executive Departments and Administration)
- HB 1425-FN**, restricting the use of food stamps in convenience stores. (Leeman, Straf. 23; Health, Human Services and Elderly Affairs)
- HB 1426-FN**, relative to earned time credits for prisoners participating in rehabilitative or educational programming. (Welch, Rock. 13; Cushing, Rock. 21; Pantelakos, Rock. 25; D'Allesandro, Dist 20; Criminal Justice and Public Safety)

**HB 1427-FN-A-L**, suspending the water and air pollution control facility property tax exemption and appropriating certain revenues for water pollution control grants to municipalities. (Cushing, Rock. 21; Spang, Straf. 6; F. Rice, Rock. 21; Oxenham, Sull. 1; Francese, Rock. 18; Buco, Carr. 2; Stiles, Dist 24; Fuller Clark, Dist 21; Woodburn, Dist 1; Municipal and County Government)

**HB 1428-FN-A-L**, making appropriations to the department of environmental services for the purpose of funding eligible and completed drinking water and wastewater projects under the state aid grant program. (Buco, Carr. 2; Fuller Clark, Dist 21; Finance)

**HB 1429**, relative to the use of microbeads in personal care products and over-the-counter drugs. (Pearson, Ches. 4; Suzanne Smith, Graf. 8; C. Chase, Ches. 8; Health, Human Services and Elderly Affairs)

**HB 1430-FN**, relative to registration of compact utility tractors. (L. Turcotte, Straf. 4; Hannon, Straf. 25; Hill, Merr. 3; Whitehouse, Straf. 2; Transportation)

**HB 1431**, relative to academic freedom and whistleblower protection. (Edelblut, Hills. 38; L. Turcotte, Straf. 4; Education)

**HB 1432-FN**, including the legislature as a public employer under the public employee labor relations act. (Cushing, Rock. 21; DiSilvestro, Hills. 9; Ley, Ches. 9; Rogers, Merr. 28; Myler, Merr. 10; Woodburn, Dist 1; Feltes, Dist 15; Soucy, Dist 18; Fuller Clark, Dist 21; D'Allesandro, Dist 20; Legislative Administration)

**HB 1433-FN**, establishing the office of ombudsman in the department of state. (Itse, Rock. 10; Seidel, Hills. 28; Executive Departments and Administration)

**HB 1434-FN**, relative to out-of-home placements under the child protection act. (Itse, Rock. 10; Ingbreton, Graf. 15; K. Rice, Hills. 37; Oligny, Rock. 34; Lachance, Hills. 8; Seidel, Hills. 28; Avar, Dist 12; Children and Family Law)

**HB 1435**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Leeman, Straf. 23; Ammon, Hills. 40; D. McGuire, Merr. 21; Goulette, Hills. 23; Aldrich, Belk. 2; Criminal Justice and Public Safety)

**HB 1436-FN**, relative to exemption from the yield tax on timber for clearing for solar energy. (Townsend, Graf. 11; Spang, Straf. 6; Ways and Means)

**HB 1437**, relative to health insurance fraud and abuse reporting. (Sad, Ches. 1; Commerce and Consumer Affairs)

**HB 1438-FN-L**, relative to the registration of antique trailers. (D. McGuire, Merr. 21; True, Rock. 4; Laware, Sull. 8; Transportation)

**HB 1439-L**, requiring regional planning commissions to file an annual report. (McConnell, Ches. 12; Adams, Hills. 26; C. McGuire, Merr. 29; Comeau, Carr. 5; Notter, Hills. 21; Municipal and County Government)

**HB 1440-FN**, relative to certification for solid waste operators. (Manley, Hills. 3; McNamara, Hills. 38; Environment and Agriculture)

**HB 1441-FN**, requiring business impact notes for proposed legislation. (Sanborn, Hills. 41; Hannon, Straf. 25; Cordelli, Carr. 4; Potucek, Rock. 6; Schroadter, Rock. 17; Edelblut, Hills. 38; Schleien, Hills. 37; Birdsell, Dist 19; Legislative Administration)

**HB 1442-FN**, relative to objections to proposed agency rules under the administrative procedure act. (Sanborn, Hills. 41; Cordelli, Carr. 4; Schroadter, Rock. 17; Abrami, Rock. 19; E. Hennessey, Graf. 1; Balcom, Hills. 21; Pitre, Straf. 2; McConnell, Ches. 12; Vose, Rock. 9; Potucek, Rock. 6; Executive Departments and Administration)

**HB 1443-FN**, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing. (Almy, Graf. 13; R. Walsh, Hills. 11; Hatch, Coos 6; Feltes, Dist 15; Ways and Means)

**HB 1444-FN-A**, relative to the rate of the insurance premium tax. (Almy, Graf. 13; Wallner, Merr. 10; Rosenwald, Hills. 30; Hatch, Coos 6; R. Walsh, Hills. 11; Feltes, Dist 15; Commerce and Consumer Affairs)

**HB 1445-FN**, relative to tinted windows on motor vehicles. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Scentsas, Hills. 30; Duarte, Rock. 2; Cataldo, Dist 6; Transportation)

**HB 1446**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Simmons, Hills. 17; Scentsas, Hills. 30; Itse, Rock. 10; Transportation)



**HB 1447-FN**, relative to child support paid through the department of health and human services. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Simmons, Hills. 17; Oligny, Rock. 34; Itse, Rock. 10; Duarte, Rock. 2; Carson, Dist 14; Avar, Dist 12; Finance)

**HB 1448**, relative to contact between a plaintiff and defendant subject to a protective order. (Scontsas, Hills. 30; Burt, Hills. 39; K. Rice, Hills. 37; Criminal Justice and Public Safety)

**HB 1449-FN**, relative to additional temporary supplemental allowances for retired members of the retirement system. (Elliott, Rock. 8; Special Committee on Public Employee Pension Plans)

**HB 1450**, relative to risk-based capital for insurers. (Hunt, Ches. 11; Butler, Carr. 7; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

**HB 1451-FN**, allowing persons convicted of certain nonviolent first offenses to petition for an annulment of the criminal record. (Parison, Hills. 25; Coffey, Hills. 25; Pantelakos, Rock. 25; Borden, Rock. 24; Avar, Dist 12; Criminal Justice and Public Safety)

**HB 1452**, relative to motor vehicle laws applicable to diplomats and certain officials. (Steven Smith, Sull. 11; Transportation)

**HB 1453**, relative to qualifying medical conditions for purposes of therapeutic cannabis. (Luneau, Merr. 10; Myler, Merr. 10; Wallner, Merr. 10; Feltes, Dist 15; Health, Human Services and Elderly Affairs)

**HB 1454**, establishing a committee to determine a process for inhabitants of the state to effectuate the protections of Article 14. (Marple, Merr. 24; Comeau, Carr. 5; D. McGuire, Merr. 21; Legislative Administration)

**HB 1455**, relative to membership of a municipal budget committee. (Bickford, Straf. 3; Municipal and County Government)

**HB 1456**, relative to chartered public school boards. (Horrigan, Straf. 6; Rollo, Straf. 18; Education)

**HB 1457**, establishing a code of professional ethics for New Hampshire teachers. (Ladd, Graf. 4; Balcom, Hills. 21; Weyler, Rock. 13; Avar, Dist 12; Reagan, Dist 17; Education)

**HB 1458**, relative to social media policies for educational institutions. (Seaworth, Merr. 20; Jones, Straf. 24; Simmons, Hills. 17; Whitehouse, Straf. 2; Education)

**HB 1459**, relative to commercial coverage. (Hunt, Ches. 11; Bradley, Dist 3; Commerce and Consumer Affairs)

**HB 1460**, relative to perambulation of town boundaries. (Hunt, Ches. 11; Chandler, Carr. 1; Municipal and County Government)

**HB 1461**, relative to the definition of and criteria for protection instream flow. (Mullen, Straf. 1; Spang, Straf. 6; Reagan, Dist 17; Fuller Clark, Dist 21; Resources, Recreation and Development)

**HB 1462**, relative to the height of a motor vehicle body and chassis. (Byron, Hills. 20; Transportation)

**HB 1463**, relative to mandatory vaccines. (Burt, Hills. 39; Souza, Hills. 43; Gould, Hills. 7; Fromuth, Hills. 7; Abramson, Rock. 20; Hull, Graf. 9; V. Fraser, Belk. 1; Avar, Dist 12; Labor, Industrial and Rehabilitative Services)

**HB 1464-FN**, relative to monitoring visits to child day care agencies. (Burt, Hills. 39; Hogan, Hills. 34; Prudhomme-O'Brien, Rock. 6; Potucek, Rock. 6; Doucette, Rock. 8; Abramson, Rock. 20; Health, Human Services and Elderly Affairs)

**HB 1465**, relative to recording of roll calls of legislative committees. (Hannon, Straf. 25; Whitehouse, Straf. 2; Legislative Administration)

**HB 1466**, relative to labeling requirements for certain homestead food operations. (Hannon, Straf. 25; Environment and Agriculture)

**HB 1467**, relative to notice of village district elections. (Bates, Rock. 7; Election Law)

**HB 1468**, relative to sessions for correction of the checklist. (Bates, Rock. 7; Election Law)

**HB 1469**, relative to the restriction of drivers' licenses for nonpayment of child support. (Eastman, Hills. 28; Oligny, Rock. 34; Transportation)

**HB 1470-FN**, permitting additional site evaluation committee membership from towns or cities affected by an application. (Hull, Graf. 9; Darrow, Graf. 17; Science, Technology and Energy)

**HB 1471**, relative to parental rights. (Hoell, Merr. 23; Goulette, Hills. 23; Itse, Rock. 10; Tucker, Rock. 23; Burt, Hills. 39; Jones, Straf. 24; Groen, Straf. 10; L. Turcotte, Straf. 4; Ingbertson, Graf. 15; Abramson, Rock. 20; Children and Family Law)

**HB 1472**, relative to the siting of certain new pipelines and storage vessels. (McConnell, Ches. 12; Emerson, Ches. 11; B. Tilton, Ches. 12; J. Belanger, Hills. 27; Abramson, Rock. 20; Edelblut, Hills. 38; Sanborn, Dist 9; Science, Technology and Energy)

**HB 1473**, relative to small loans. (Jones, Straf. 24; Commerce and Consumer Affairs)

**HB 1474**, requiring the collection of data relative to firearm related deaths and injuries. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Burton, Straf. 6; Berrien, Rock. 18; C. Chase, Ches. 8; Criminal Justice and Public Safety)

**HB 1475-FN-A**, establishing a death benefit for a school employee killed in the line of duty. (Rogers, Merr. 28; Berch, Ches. 1; Lachance, Hills. 8; Finance)

**HB 1476**, relative to prohibitions on the employment of youth. (Hoell, Merr. 23; Itse, Rock. 10; Ingbreton, Graf. 15; C. McGuire, Merr. 29; Ferreira, Hills. 28; Hull, Graf. 9; Labor, Industrial and Rehabilitative Services)

**HB 1477**, relative to the grace period for motor vehicle inspections. (D. McGuire, Merr. 21; True, Rock. 4; Gagne, Hills. 13; Rideout, Coos 7; Laware, Sull. 8; Reagan, Dist 17; Transportation)

**HB 1478**, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments. (Williams, Hills. 4; Butler, Carr. 7; Commerce and Consumer Affairs)

**HB 1479**, establishing a broadband study committee. (Townsend, Graf. 11; Ratzki, Merr. 1; Shepardson, Ches. 10; Chandler, Carr. 1; Leishman, Hills. 24; Karrick, Merr. 25; Ebel, Merr. 5; Science, Technology and Energy)

**HB 1480-FN**, establishing a state minimum wage. (Butler, Carr. 7; Berch, Ches. 1; Fuller Clark, Dist 21; Labor, Industrial and Rehabilitative Services)

**HB 1481**, relative to the qualifications of jurors. (Sylvia, Belk. 6; Judiciary)

**HB 1482**, establishing a committee to study improving the statewide voter registration database. (Backus, Hills. 19; Cote, Hills. 31; Cushing, Rock. 21; Lachance, Hills. 8; Fuller Clark, Dist 21; Feltes, Dist 15; Election Law)

**HB 1483**, relative to community renewable energy. (Oxenham, Sull. 1; Spang, Straf. 6; Cohen, Hills. 30; Ford, Graf. 3; Higgins, Graf. 12; Rosenwald, Hills. 30; Harvey, Hills. 29; Mangipudi, Hills. 35; Fuller Clark, Dist 21; Pierce, Dist 5; Science, Technology and Energy)

**HB 1484**, relative to the election of members of the state board of education. (Cordelli, Carr. 4; Boehm, Hills. 20; Pitre, Straf. 2; Adams, Hills. 26; Moore, Hills. 21; V. Sullivan, Hills. 16; Education)

**HB 1485**, relative to private rights of action under the pupil safety and violence prevention act. (McBeath, Rock. 26; Fromuth, Hills. 7; Education)

**HB 1486**, relative to membership of the state house bicentennial commission. (Cushing, Rock. 21; Legislative Administration)

**HB 1487** – not introduced.

**HB 1488**, establishing a commission to review and make recommendations for the recodification of RSA 284 and RSA 287-D. (D. Sullivan, Hills. 42; Ways and Means)

**HB 1489**, establishing a committee to study the rates of employer contributions in the retirement system. (Kurk, Hills. 2; Special Committee on Public Employee Pension Plans)

**HB 1490**, relative to collaborative practice between pharmacists and health care practitioners. (MacKay, Merr. 14; S. Schmidt, Carr. 6; Sytek, Rock. 8; LeBrun, Hills. 32; P. Schmidt, Straf. 19; Proulx, Hills. 44; Feltes, Dist 15; Health, Human Services and Elderly Affairs)

**HB 1491**, relative to trust fund interest. (Kurk, Hills. 2; Commerce and Consumer Affairs)

**HB 1492**, regarding individual privacy when law enforcement agencies use body-worn cameras. (Kurk, Hills. 2; Criminal Justice and Public Safety)

**HB 1493**, relative to ownership of DNA. (Kurk, Hills. 2; Whitehouse, Straf. 2; Judiciary)

**HB 1494**, relative to the expectation of privacy in personal information. (Kurk, Hills. 2; Judiciary)

**HB 1495-FN-L**, relative to insurance incentives to lower costs of health care. (Kurk, Hills. 2; D. McGuire, Merr. 21; Commerce and Consumer Affairs)

**HB 1496**, relative to the expectation of privacy in personal materials. (Kurk, Hills. 2; Judiciary)

**HB 1497**, relative to the limits on disclosure of information used on college entrance exams. (Kurk, Hills. 2; Education)

**HB 1498**, repealing the prohibition on certain gambling. (Ammon, Hills. 40; Simmons, Hills. 17; Osborne, Rock. 4; Spillane, Rock. 2; Aldrich, Belk. 2; Schleien, Hills. 37; Baldasaro, Rock. 5; Ingbreton, Graf. 15; Itse, Rock. 10; Reagan, Dist 17; Ways and Means)

**HB 1499-FN**, relative to certificates for rabies vaccination of dogs, cats, or ferrets. (Ammon, Hills. 40; Goulette, Hills. 23; Environment and Agriculture)

**HB 1500**, relative to default budgets for the purpose of setting tax rates. (Ammon, Hills. 40; Baldasaro, Rock. 5; Spillane, Rock. 2; Aldrich, Belk. 2; Cheney, Straf. 17; Souza, Hills. 43; Fromuth, Hills. 7; Potucek, Rock. 6; Municipal and County Government)

**HB 1501**, relative to qualifying medical conditions for the use of cannabis. (Wright, Carr. 8; Lachance, Hills. 8; Health, Human Services and Elderly Affairs)

**HB 1502**, establishing a committee to study odor emissions from landfills. (Massimilla, Graf. 1; Sad, Ches. 1; Theberge, Coos 3; Alicea, Merr. 8; Cordelli, Carr. 4; Irwin, Sull. 9; Science, Technology and Energy)

**HB 1503**, relative to distributing campaign materials at the polling place. (Fields, Belk. 4; Election Law)

**HB 1504-FN-L**, relative to the execution of a real estate tax lien on a primary residence. (Hoell, Merr. 23; Itse, Rock. 10; Abramson, Rock. 20; Ingbreton, Graf. 15; Municipal and County Government)

**HB 1505**, allowing municipalities to exempt water and sewer pollution control facilities owned by educational institutions from the local property tax. (Cushing, Rock. 21; Municipal and County Government)

**HB 1506**, establishing a committee to study the use of solitary confinement in New Hampshire. (Edwards, Hills. 11; Lachance, Hills. 8; Schleien, Hills. 37; Bouldin, Hills. 12; Hannon, Straf. 25; Criminal Justice and Public Safety)

**HB 1507**, amending the procedures for the use of solitary confinement and establishing a committee to study the use and effectiveness of solitary confinement in New Hampshire. (Edwards, Hills. 11; Lachance, Hills. 8; Schleien, Hills. 37; Bouldin, Hills. 12; Hannon, Straf. 25; Criminal Justice and Public Safety)

**HB 1508**, allowing public libraries to run certain privacy software. (Ammon, Hills. 40; Goulette, Hills. 23; Sweeney, Hills. 23; Schleien, Hills. 37; Kurk, Hills. 2; Aldrich, Belk. 2; Ferreira, Hills. 28; Municipal and County Government)

**HB 1509**, relative to the definition of "houseboat." (Ammon, Hills. 40; Transportation)

**HB 1510**, relative to the review of minutes of nonpublic sessions. (Ammon, Hills. 40; Goulette, Hills. 23; Spillane, Rock. 2; Judiciary)

**HB 1511-FN-L**, relative to hours of polling. (Burton, Straf. 6; Election Law)

**HB 1512**, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation. (Murphy, Hills. 7; Labor, Industrial and Rehabilitative Services)

**HB 1513**, relative to the duties of registers of probate. (Gray, Straf. 8; Municipal and County Government)

**HB 1514**, relative to the application of nitrogen and phosphorus content fertilizers. (Schroader, Rock. 17; Mullen, Straf. 1; Sanborn, Hills. 41; Environment and Agriculture)

**HB 1515**, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising. (Schroader, Rock. 17; Whitehouse, Straf. 2; Election Law)

**HB 1516-FN**, relative to balance billing. (Luneau, Merr. 10; Myler, Merr. 10; Butler, Carr. 7; Feltes, Dist 15; Bradley, Dist 3; Commerce and Consumer Affairs)

**HB 1517**, relative to temporary seasonal docks. (McConkey, Carr. 3; Chandler, Carr. 1; Bradley, Dist 3; Resources, Recreation and Development)

**HB 1518**, relative to village district members of budget committees. (Bates, Rock. 7; Municipal and County Government)

**HB 1519**, relative to the season for taking bear using dogs set by the executive director of fish and game. (T. Walsh, Merr. 24; Fish and Game and Marine Resources)

**HB 1520**, relative to the membership of the medical review subcommittee. (Sherman, Rock. 24; Berrien, Rock. 18; Fothergill, Coos 1; Stiles, Dist 24; Reagan, Dist 17; Health, Human Services and Elderly Affairs)

**HB 1521**, allowing voters to vote for multiple candidates for an office. (Ammon, Hills. 40; D. McGuire, Merr. 21; Schleien, Hills. 37; Edelblut, Hills. 38; Election Law)

**HB 1522**, adopting the Federal Rules of Civil Procedure as law. (Goulette, Hills. 23; Judiciary)

**HB 1523**, relative to government construction contracts. (Abramson, Rock. 20; L. Turcotte, Straf. 4; Spillane, Rock. 2; Hoell, Merr. 23; Aldrich, Belk. 2; Eastman, Hills. 28; Reagan, Dist 17; Labor, Industrial and Rehabilitative Services)

**HB 1524-FN-A**, repealing fish and game department authority to establish fees by administrative rulemaking. (Duarte, Rock. 2; Spillane, Rock. 2; Burt, Hills. 39; Tamburello, Rock. 5; Rappaport, Coos 1; Hill, Merr. 3; Rideout, Coos 7; Fish and Game and Marine Resources)

**HB 1525-FN**, relative to the circumstances that constitute indecent exposure and lewdness. (Gallagher, Belk. 4; Hurt, Belk. 2; Spanos, Belk. 3; Criminal Justice and Public Safety)

**HB 1526-FN-L**, providing for the election of members of the county convention as a separate county office. (Bucio, Carr. 2; Chandler, Carr. 1; Beaulieu, Hills. 45; Municipal and County Government)

**HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. (L. Ober, Hills. 37; Emerick, Rock. 21; Spanos, Belk. 3; Weyler, Rock. 13; M. Smith, Straf. 6; Leishman, Hills. 24; Eaton, Ches. 3; Reagan, Dist 17; Carson, Dist 14; Executive Departments and Administration)

**HB 1528-FN**, relative to standards for aerobic septic systems. (Pitre, Straf. 2; Whitehouse, Straf. 2; Jones, Straf. 24; Cataldo, Dist 6; Environment and Agriculture)

**HB 1529-FN**, relative to reporting of felony convictions for voter checklist updates. (Bates, Rock. 7; Election Law)

**HB 1530-FN-L**, relative to mail-in voting. (Rogers, Merr. 28; Moody, Rock. 17; P. Brown, Hills. 31; O'Neil, Hills. 9; Election Law)

**HB 1531**, permitting the legislature to open the state house on weekends. (Haefner, Hills. 37; Sad, Ches. 1; Shurtleff, Merr. 11; Rowe, Hills. 22; Weyler, Rock. 13; Feltes, Dist 15; Boutin, Dist 16; Reagan, Dist 17; Stiles, Dist 24; Bradley, Dist 3; Watters, Dist 4; Legislative Administration)

**HB 1532**, permitting state or county prisoners to vote by absentee ballot. (P. Schmidt, Straf. 19; Spang, Straf. 6; Bartlett, Merr. 19; Verschuere, Straf. 13; Election Law)

**HB 1533**, relative to noise level limitations for permanent machinery. (McConnell, Ches. 12; Emerson, Ches. 11; J. Belanger, Hills. 27; Adams, Hills. 26; Coffey, Hills. 25; C. Roberts, Hills. 4; Shepardson, Ches. 10; Byron, Hills. 20; B. Tilton, Ches. 12; Sanborn, Dist 9; Municipal and County Government)

**HB 1534**, relative to reports of death of voters. (Bates, Rock. 7; Election Law)

**HB 1535-FN**, relative to liability for payment of criminal record background checks and drug tests. (Ulery, Hills. 37; Labor, Industrial and Rehabilitative Services)

**HB 1536-FN-A**, relative to funding for search and rescue operations of the fish and game department, and applying resident fishing licenses to use by the purchaser's family. (Brewster, Merr. 21; Resources, Recreation and Development)

**HB 1537-FN**, relative to testing for Lyme disease. (P. Brown, Hills. 31; Rogers, Merr. 28; LeBrun, Hills. 32; Emerson, Ches. 11; Daniels, Dist 11; Health, Human Services and Elderly Affairs)

**HB 1538-FN-A**, relative to revising the business enterprise tax as a business flat tax, reducing the rate of the interest and dividends tax, repealing certain taxes, and establishing a commission to recommend statutory changes for the implementation of this new tax structure. (Ingbertson, Graf. 15; Ways and Means)

**HB 1539-FN**, relative to procedures for resolving ties in legislative races. (Cushing, Rock. 21; Saunderson, Merr. 9; McConnell, Ches. 12; Election Law)

**HB 1540-FN**, relative to direct shipments of beer. (Murphy, Hills. 7; Schroadter, Rock. 17; Commerce and Consumer Affairs)

**HB 1541-FN**, prohibiting placement of certain persons with a mental illness in the secure psychiatric unit, and authorizing the commissioner of the department of corrections to seek therapeutic alternatives. (Cushing, Rock. 21; Mangipudi, Hills. 35; MacKay, Merr. 14; Sherman, Rock. 24; Berrien, Rock. 18; Danielson, Hills. 7; Pantelakos, Rock. 25; Stiles, Dist 24; Lasky, Dist 13; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

**HB 1542-FN**, requiring drug testing of public assistance recipients. (Leeman, Straf. 23; Potucek, Rock. 6; Health, Human Services and Elderly Affairs)

**HB 1543-FN**, relative to prosecutorial misconduct. (Abramson, Rock. 20; Itse, Rock. 10; McConnell, Ches. 12; Hull, Graf. 9; Criminal Justice and Public Safety)

**HB 1544-FN-A-L**, establishing a tax on revenues from natural gas transmission. (B. Tilton, Ches. 12; Ways and Means)

**HB 1545-FN**, relative to Lucky 7 tickets. (Infantine, Hills. 13; Ways and Means)

**HB 1546-FN**, permitting the audio recording of a public servant performing a public function. (Hull, Graf. 9; Sylvia, Belk. 6; Aldrich, Belk. 2; Ammon, Hills. 40; Criminal Justice and Public Safety)

**HB 1547-FN**, prohibiting bestiality. (Rogers, Merr. 28; Baldasaro, Rock. 5; Burt, Hills. 39; Ford, Graf. 3; Horrigan, Straf. 6; Berch, Ches. 1; C. Chase, Ches. 8; Abbott, Ches. 1; D'Allesandro, Dist 20; Criminal Justice and Public Safety)

**HB 1548-FN**, prohibiting the trade of shark fins. (Booras, Hills. 33; Fish and Game and Marine Resources)

**HB 1549-FN**, requiring the department of safety to establish a database cataloging certain law enforcement activities. (Ammon, Hills. 40; Goulette, Hills. 23; Fromuth, Hills. 7; Osborne, Rock. 4; Hull, Graf. 9; Aldrich, Belk. 2; Kurk, Hills. 2; Criminal Justice and Public Safety)

**HB 1550-FN**, relative to the duties of the ombudsman. (Ammon, Hills. 40; Osborne, Rock. 4; Health, Human Services and Elderly Affairs)

**HB 1551-FN-A**, establishing the John and Molly Stark scholarship program and making an appropriation therefor. (Burton, Straf. 6; Myler, Merr. 10; Gile, Merr. 27; Education)

**HB 1552-FN**, extending the penalty of death to acts of terrorism and civil rights offenses. (Flanagan, Hills. 26; Criminal Justice and Public Safety)

**HB 1553-FN**, transferring the administration of the telecommunications accounting unit. (L. Ober, Hills. 37; Emerick, Rock. 21; Spanos, Belk. 3; Eaton, Ches. 3; Umberger, Carr. 2; Weyler, Rock. 13; Birdsell, Dist 19; Reagan, Dist 17; Carson, Dist 14; Cataldo, Dist 6; Bradley, Dist 3; Science, Technology and Energy)

**HB 1554-FN**, establishing a state sports lottery. (Schroadter, Rock. 17; Mullen, Straf. 1; Whitehouse, Straf. 2; Ways and Means)

**HB 1555-FN**, relative to the manner in which New Hampshire takes possession of land. (McConnell, Ches. 12; B. Tilton, Ches. 12; Adams, Hills. 26; Coffey, Hills. 25; C. Roberts, Hills. 4; Notter, Hills. 21; Flanagan, Hills. 26; Judiciary)

**HB 1556-FN**, relative to Lucky 7 tickets. (D. Sullivan, Hills. 42; Executive Departments and Administration)

**HB 1557-FN**, relative to alcohol and drug treatment programs. (Kurk, Hills. 2; Health, Human Services and Elderly Affairs)

**HB 1558-FN**, requiring the university system of New Hampshire to examine the disposition of children in state custody. (Brewster, Merr. 21; Education)

**HB 1559-FN**, relative to property taxes paid by education facilities leasing property. (Horrigan, Straf. 6; Municipal and County Government)

**HB 1560-FN**, relative to abortion procedures. (Moore, Hills. 21; R. Christie, Hills. 6; Prudhomme-O'Brien, Rock. 6; Marston, Hills. 19; Spillane, Rock. 2; Notter, Hills. 21; Avard, Dist 12; Judiciary)

**HB 1561-FN**, relative to freedom of expression on college campuses. (Edelblut, Hills. 38; L. Turcotte, Straf. 4; Education)

**HB 1562-FN-L**, allowing counties to establish heroin use prevention and treatment programs. (Abramson, Rock. 20; Lachance, Hills. 8; Murotake, Hills. 32; Potucek, Rock. 6; Hoell, Merr. 23; J. Ward, Rock. 19; Municipal and County Government)

**HB 1563-FN-L**, relative to funding for full-day kindergarten pupils. (Luneau, Merr. 10; Myler, Merr. 10; Verschueren, Straf. 13; Gile, Merr. 27; Feltes, Dist 15; Education)

**HB 1564-FN-A**, establishing an independent redistricting commission. (Cote, Hills. 31; C. Chase, Ches. 8; Butler, Carr. 7; Berch, Ches. 1; Burton, Straf. 6; Porter, Hills. 1; Fuller Clark, Dist 21; Election Law)

**HB 1565-FN**, relative to transportation companies under the Medicaid managed care program. (Martel, Hills. 44; Byron, Hills. 20; Fields, Belk. 4; V. Sullivan, Hills. 16; Health, Human Services and Elderly Affairs)

**HB 1566-FN**, relative to out-of-state transportation companies. (Martel, Hills. 44; Byron, Hills. 20; Fields, Belk. 4; V. Sullivan, Hills. 16; Health, Human Services and Elderly Affairs)

**HB 1567-FN-A**, authorizing friends of animal number plates. (Massimilla, Graf. 1; Theberge, Coos 3; Bailey, Graf. 14; Alicea, Merr. 8; Rogers, Merr. 28; Transportation)

**HB 1568-FN-A**, relative to prepaid road tolls for certain alternative energy vehicles. (F. Tilton, Belk. 3; Public Works and Highways)

**HB 1569-FN**, relative to volunteers under the department of resources and economic development. (C. Christensen, Hills. 21; Gottling, Sull. 2; Russell, Belk. 5; Ford, Graf. 3; Emerick, Rock. 21; Infantine, Hills. 13; Kelly, Dist 10; Stiles, Dist 24; Woodburn, Dist 1; Judiciary)

**HB 1570-FN**, repealing the law governing access to reproductive health care facilities. (Hoell, Merr. 23; Goulette, Hills. 23; Itse, Rock. 10; Ingbretonson, Graf. 15; Abramson, Rock. 20; W. O'Brien, Hills. 5; Rideout, Coos 7; Notter, Hills. 21; Groen, Straf. 10; Seidel, Hills. 28; Judiciary)

**HB 1571-FN**, prohibiting the possession, purchase, or sale of equipment used for animal fighting. (Booras, Hills. 33; Environment and Agriculture)

**HB 1572-FN**, establishing a broadband deployment tax credit incentive program against the business profits tax and the business enterprise tax. (Townsend, Graf. 11; Ratzki, Merr. 1; Ways and Means)

**HB 1573-FN**, relative to brokers arranging transportation for Medicaid patients. (Martel, Hills. 44; Byron, Hills. 20; Fields, Belk. 4; V. Sullivan, Hills. 16; Stiles, Dist 24; Health, Human Services and Elderly Affairs)

**HB 1574-FN-A**, relative to the penalty assessment fund and requiring payment into the penalty assessment for persons performing court-mandated community service. (Tholl, Coos 5; Welch, Rock. 13; Eaton, Ches. 3; Richardson, Coos 4; Theberge, Coos 3; Pantelakos, Rock. 25; Carson, Dist 14; Forrester, Dist 2; Judiciary)

**HB 1575-FN**, prohibiting certain court filing fees. (Brewster, Merr. 21; Judiciary)

**HB 1576-FN-L**, repealing the licensure of dogs. (Hull, Graf. 9; Sylvia, Belk. 6; Aldrich, Belk. 2; Ammon, Hills. 40; Municipal and County Government)

**HB 1577-FN**, relative to alternatives to incarceration as a criminal penalty. (Kurk, Hills. 2; Judiciary)

**HB 1578**, relative to the maintenance of private roads. (Chirichiello, Rock. 6; R. Christie, Hills. 6; P. McCarthy, Hills. 29; Flanagan, Hills. 26; Hinch, Hills. 21; Birdsell, Dist 19; Public Works and Highways)

**HB 1579**, relative to regulation of the practice of out-of-state brokers by the real estate commission. (Baroody, Hills. 43; Massimilla, Graf. 1; DiSilvestro, Hills. 9; Hinch, Hills. 21; Commerce and Consumer Affairs)

**HB 1580-FN**, removing the real estate commission from the office of professional licensure and certification. (Baroody, Hills. 43; DiSilvestro, Hills. 9; Executive Departments and Administration)

**HB 1581-FN-A**, establishing a special marriage officiant license. (Cushing, Rock. 21; M. Hennessey, Graf. 12; Eaton, Ches. 3; Lovejoy, Rock. 36; Harvey, Hills. 29; Mangipudi, Hills. 35; Rogers, Merr. 28; DeSimone, Rock. 14; McBeath, Rock. 26; DiSesa, Straf. 16; Soucy, Dist 18; Lasky, Dist 13; Feltes, Dist 15; Judiciary)

**HB 1582-FN**, relative to judicial salaries. (Luther, Belk. 3; Judiciary)

**HB 1583-FN**, allowing for voluntary donations to veterans' organizations through a check-off box on driver's license applications and automobile registration forms. (Massimilla, Graf. 1; Theberge, Coos 3; Bailey, Graf. 14; Alicea, Merr. 8; Hannon, Straf. 25; Baldasaro, Rock. 5; Whitehouse, Straf. 2; Carson, Dist 14; Transportation)

**HB 1584-FN**, relative to minimum and maximum sentences for felony convictions. (Cushing, Rock. 21; Welch, Rock. 13; Criminal Justice and Public Safety)

**HB 1585-FN**, relative to competitive bidding in Carroll county. (Cordelli, Carr. 4; S. Schmidt, Carr. 6; McConkey, Carr. 3; Avellani, Carr. 5; Comeau, Carr. 5; Wright, Carr. 8; Buco, Carr. 2; F. McCarthy, Carr. 2; Municipal and County Government)

**HB 1586-FN**, prohibiting the impersonation of an emergency medical technician or firefighter. (Proulx, Hills. 44; Criminal Justice and Public Safety)

**HB 1587**, relative to limitations on capital reserve funds of counties. (Irwin, Sull. 9; Municipal and County Government)

**HB 1588**, relative to employment restrictions on former executive branch commissioners, and repealing certain prohibitions on employment of state employees. (Umberger, Carr. 2; Weyler, Rock. 13; Eaton, Ches. 3; Executive Departments and Administration)

**HB 1589-FN**, prohibiting the transportation of exotic aquatic weeds. (Gottling, Sull. 2; Suzanne Smith, Graf. 8; Spang, Straf. 6; Mullen, Straf. 1; Ebel, Merr. 5; Bradley, Dist 3; Fuller Clark, Dist 21; Resources, Recreation and Development)

**HB 1590-FN-A-L**, relative to the regulation and taxation of short-term rental businesses. (Butler, Carr. 7; Fuller Clark, Dist 21; Commerce and Consumer Affairs)

**HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (L. Ober, Hills. 37; Weyler, Rock. 13; Barry, Hills. 21; Umberger, Carr. 2; Finance)

**HB 1592-FN**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (Kurk, Hills. 2; Weyler, Rock. 13; Little, Dist 8; Finance)

**HB 1593-FN-L**, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. (Brewster, Merr. 21; Legislative Administration)

**HB 1594-FN**, relative to emergency medical services. (White, Graf. 13; Danielson, Hills. 7; Goley, Hills. 8; Proulx, Hills. 44; Carson, Dist 14; Pierce, Dist 5; Executive Departments and Administration)

**HB 1595-FN**, relative to the rivers management and protection program. (Spang, Straf. 6; Ford, Graf. 3; Gottling, Sull. 2; Beaulieu, Hills. 45; Reagan, Dist 17; Fuller Clark, Dist 21; Resources, Recreation and Development)

**HB 1596-FN-L**, changing the marriage license requirement to a requirement that couples obtains a certificate of notice of intent to marry and a certificate of marriage. (Itse, Rock. 10; Hill, Merr. 3; Hoell, Merr. 23; Ingbretson, Graf. 15; Judiciary)

**HB 1597-FN**, relative to preservation of biological material in a criminal investigation for DNA testing. (Abramson, Rock. 20; Itse, Rock. 10; Criminal Justice and Public Safety)

**HB 1598-FN**, relative to the penalty for driving while intoxicated, third or subsequent offense. (Estevez, Hills. 37; Manning, Rock. 8; Doucette, Rock. 8; Marston, Hills. 19; Criminal Justice and Public Safety)

**HB 1599-FN**, relative to shining a laser pointing device at an aircraft or vessel, or at another person. (Weyler, Rock. 13; L. Turcotte, Straf. 4; A. Turcotte, Merr. 22; D. Brown, Graf. 16; Lachance, Hills. 8; Birdsell, Dist 19; Criminal Justice and Public Safety)

**HB 1600-FN**, prohibiting the possession of a flame thrower. (Rogers, Merr. 28; Rollo, Straf. 18; Horrigan, Straf. 6; C. Chase, Ches. 8; Pearson, Ches. 4; Criminal Justice and Public Safety)

**HB 1601**, relative to certain continuing care communities. (Abel, Graf. 13; Suzanne Smith, Graf. 8; Almy, Graf. 13; Hurt, Belk. 2; Ebel, Merr. 5; Commerce and Consumer Affairs)

**HB 1602-FN-A-L**, establishing a road usage fee and making an appropriation therefor. (Major, Rock. 14; Cooney, Graf. 8; Ohm, Hills. 36; Chandler, Carr. 1; Packard, Rock. 5; Almy, Graf. 13; Cloutier, Sull. 10; Henle, Merr. 12; Watters, Dist 4; Public Works and Highways)

**HB 1603-FN**, requiring the registration of drug dealers. (J. Belanger, Hills. 27; LeBrun, Hills. 32; Criminal Justice and Public Safety)

**HB 1604-FN-A-L**, relative to exceptional student education programs and providing funding therefor. (Ladd, Graf. 4; Myler, Merr. 10; Kurk, Hills. 2; Balcom, Hills. 21; Gile, Merr. 27; Heath, Hills. 14; Shaw, Hills. 16; Education)

**HB 1605-FN**, prohibiting the use of latex gloves and utensils in the food service industry. (Suzanne Smith, Graf. 8; MacKay, Merr. 14; Ford, Graf. 3; Horrigan, Straf. 6; Emerson, Ches. 11; Forrester, Dist 2; Health, Human Services and Elderly Affairs)

**HB 1606-FN**, relative to unlawful sale or possession of alcoholic beverages. (Abramson, Rock. 20; Criminal Justice and Public Safety)

**HB 1607-FN**, relative to entering dismissals of cases by nolle prosequi. (Brewster, Merr. 21; Judiciary)

**HB 1608-FN**, relative to uniform prior authorization forms. (Fothergill, Coos 1; Sherman, Rock. 24; Hunt, Ches. 11; Bradley, Dist 3; Woodburn, Dist 1; Commerce and Consumer Affairs)

**HB 1610-FN**, legalizing the possession and cultivation of marijuana for personal use. (Sylvia, Belk. 6; Hull, Graf. 9; Criminal Justice and Public Safety)

**HB 1611-FN-L**, allowing a public body or agency to charge a fee for costs of retrieving public records under the right-to-know law. (P. Long, Hills. 10; Judiciary)

**HB 1612-FN**, relative to the age for purposes of compulsory education. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Education)

**HB 1613-FN**, relative to criminal prosecution for those charged with prostitution. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Criminal Justice and Public Safety)

**HB 1614-FN**, relative to the criminal penalty for prostitution. (Edwards, Hills. 11; Bouldin, Hills. 12; C. McGuire, Merr. 29; Criminal Justice and Public Safety)

**HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Packard, Rock. 5; Hinch, Hills. 21; Shurtleff, Merr. 11; Steven Smith, Sull. 11; T. Walsh, Merr. 24; Bates, Rock. 7; Gionet, Graf. 5; J. Ward, Rock. 19; Stiles, Dist 24; Boutin, Dist 16; Transportation)

**HB 1617**, relative to funding for housing projects by the New Hampshire housing finance authority. (Sad, Ches. 1; Flanagan, Hills. 26; Burt, Hills. 39; Commerce and Consumer Affairs)

**HB 1618**, relative to debt adjustment services. (Hunt, Ches. 11; Commerce and Consumer Affairs)

**HB 1619-FN**, relative to the use of narcans. (Hopper, Hills. 2; Oligny, Rock. 34; Rouillard, Hills. 6; Feltes, Dist 15; Carson, Dist 14; Health, Human Services and Elderly Affairs)

**HB 1620-FN-A**, relative to forensic child abuse evaluations and making an appropriation for the training of forensic child abuse specialists. (Brewster, Merr. 21; Children and Family Law)

**HB 1621-FN-L**, relative to sanctuary cities. (Potucek, Rock. 6; Lachance, Hills. 8; V. Sullivan, Hills. 16; Baldasaro, Rock. 5; DeLemus, Straf. 11; McConnell, Ches. 12; Notter, Hills. 21; Rideout, Coos 7; Steven Smith, Sull. 11; L. Turcotte, Straf. 4; Prudhomme-O'Brien, Rock. 6; Doucette, Rock. 8; Mullen, Straf. 1; Cataldo, Dist 6; Birdsell, Dist 19; Municipal and County Government)

- HB 1622-FN**, relative to radioactive waste and establishing a nuclear waste storage fee. (Cushing, Rock. 21; B. French, Merr. 6; Science, Technology and Energy)
- HB 1623-FN**, prohibiting an abortion based on genetic abnormalities. (Cordelli, Carr. 4; Gould, Hills. 7; Groen, Straf. 10; Souza, Hills. 43; Moore, Hills. 21; Wuelper, Straf. 3; LeBrun, Hills. 32; Leeman, Straf. 23; V. Sullivan, Hills. 16; Judiciary)
- HB 1624-FN**, relative to electioneering by public employees. (Gray, Straf. 8; Election Law)
- HB 1625-FN**, relative to banning abortion after viability. (Murphy, Hills. 7; Notter, Hills. 21; D. McGuire, Merr. 21; Avard, Dist 12; Seidel, Hills. 28; Judiciary)
- HB 1626-FN**, relative to drug take-back programs. (V. Sullivan, Hills. 16; Lachance, Hills. 8; Boehm, Hills. 20; Carson, Dist 14; Criminal Justice and Public Safety)
- HB 1627-FN**, relative to the protection of infants born alive. (Groen, Straf. 10; V. Sullivan, Hills. 16; Murotake, Hills. 32; Judiciary)
- HB 1628-FN**, relative to human trafficking involving persons under 18 years of age. (Gallagher, Belk. 4; Lachance, Hills. 8; Hill, Merr. 3; Seidel, Hills. 28; Forrester, Dist 2; Criminal Justice and Public Safety)
- HB 1629-FN**, relative to disqualifying members of certain groups from receiving public assistance. (Weyler, Rock. 13; Baldasaro, Rock. 5; Itse, Rock. 10; Balcom, Hills. 21; LeBrun, Hills. 32; Tamburello, Rock. 5; Burt, Hills. 39; Leeman, Straf. 23; Avard, Dist 12; Health, Human Services and Elderly Affairs)
- HB 1630-FN-L**, relative to calculating the base cost of an adequate education. (Ladd, Graf. 4; Myler, Merr. 10; Education)
- HB 1631-FN**, relative to penalties for possession of marijuana. (Schroadter, Rock. 17; Cushing, Rock. 21; Lachance, Hills. 8; C. McGuire, Merr. 29; Murphy, Hills. 7; Kaen, Straf. 5; Whitehouse, Straf. 2; Simmons, Hills. 17; Phillips, Ches. 16; Criminal Justice and Public Safety)
- HB 1632-FN**, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm. (Rogers, Merr. 28; Rollo, Straf. 18; Horrigan, Straf. 6; Berrien, Rock. 18; C. Chase, Ches. 8; Berch, Ches. 1; P. Brown, Hills. 31; Pierce, Dist 5; Criminal Justice and Public Safety)
- HB 1633-FN**, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation. (Webb, Rock. 6; Cahill, Rock. 17; Cushing, Rock. 21; Emerson, Ches. 11; Infantine, Hills. 13; LeBrun, Hills. 32; Patten, Merr. 17; Rouillard, Hills. 6; White, Graf. 13; Feltes, Dist 15; Reagan, Dist 17; Carson, Dist 14; D'Allesandro, Dist 20; Birdsell, Dist 19; Labor, Industrial and Rehabilitative Services)
- HB 1634-FN**, relative to the penalty for possession, use, or sale of fentanyl. (Estevez, Hills. 37; Doucette, Rock. 8; Manning, Rock. 8; Marston, Hills. 19; Takesian, Hills. 37; Health, Human Services and Elderly Affairs)
- HB 1635-FN**, relative to the theft of a firearm during a burglary. (Rogers, Merr. 28; Baldasaro, Rock. 5; Berch, Ches. 1; Rollo, Straf. 18; Horrigan, Straf. 6; Burton, Straf. 6; Berrien, Rock. 18; Criminal Justice and Public Safety)
- HB 1636-FN**, prohibiting abortions once an unborn child can feel pain. (Groen, Straf. 10; Hogan, Hills. 34; Ulery, Hills. 37; Murotake, Hills. 32; Seidel, Hills. 28; Moore, Hills. 21; Judiciary)
- HB 1637-FN**, relative to school attendance in towns with no public schools. (Boehm, Hills. 20; Edelblut, Hills. 38; Gottling, Sull. 2; Irwin, Sull. 9; Grenier, Sull. 7; Education)
- HB 1638-FN-L**, relative to the allocation of lottery revenues to schools. (Leeman, Straf. 23; D. McGuire, Merr. 21; Education)
- HB 1639-FN**, relative to bonds for public employees. (Marple, Merr. 24; Ingbretson, Graf. 15; Itse, Rock. 10; McClarren, Hills. 29; Executive Departments and Administration)
- HB 1640-FN**, relative to the expiration of administrative rules. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Edelblut, Hills. 38; Executive Departments and Administration)
- HB 1641-FN-L**, relative to requiring prevailing wages on state-funded public works projects. (Cilley, Straf. 4; Rogers, Merr. 28; Cushing, Rock. 21; Oxenham, Sull. 1; Schuett, Merr. 20; Ley, Ches. 9; Goley, Hills. 8; Luneau, Merr. 10; Feltes, Dist 15; Soucy, Dist 18; Labor, Industrial and Rehabilitative Services)
- HB 1642-FN-L**, relative to persons executing election affidavits. (Bates, Rock. 7; Souza, Hills. 43; D. Brown, Graf. 16; Election Law)



**HB 1644-FN**, relative to screening and treatment for dyslexia and related disorders and establishing a reading specialist in the department of education. (Balcom, Hills. 21; Ebel, Merr. 5; Kidder, Merr. 5; Cordelli, Carr. 4; Rollo, Straf. 18; Grenier, Sull. 7; Ford, Graf. 3; Buco, Carr. 2; Verschueren, Straf. 13; Myler, Merr. 10; Stiles, Dist 24; Feltes, Dist 15; Watters, Dist 4; D'Allesandro, Dist 20; Education)

**HB 1645**, relative to carrying a pistol or revolver without a license. (Spillane, Rock. 2; Duarte, Rock. 2; Tamburello, Rock. 5; Burt, Hills. 39; Avellani, Carr. 5; Rideout, Coos 7; Baldasaro, Rock. 5; Eastman, Hills. 28; Horn, Merr. 2; Whitehouse, Straf. 2; Reagan, Dist 17; Criminal Justice and Public Safety)

**HB 1646**, relative to the disclosure of felony convictions by individuals seeking an elected office. (Chirichiello, Rock. 6; P. McCarthy, Hills. 29; Election Law)

**HB 1647-FN**, repealing laws regulating hawkers and peddlers and itinerant vendors. (Fromuth, Hills. 7; Schleien, Hills. 37; Hull, Graf. 9; Commerce and Consumer Affairs)

**HB 1648-FN**, relative to sales by pharmacists under the controlled drug act. (J. Ward, Rock. 19; Stiles, Dist 24; A. Christie, Rock. 37; Abrami, Rock. 19; Health, Human Services and Elderly Affairs)

**HB 1649-FN**, relative to state inspection of new motor vehicles. (Spillane, Rock. 2; Tamburello, Rock. 5; Duarte, Rock. 2; C. McGuire, Merr. 29; Murphy, Hills. 7; Baldasaro, Rock. 5; Burt, Hills. 39; Rouillard, Hills. 6; Potucek, Rock. 6; Horn, Merr. 2; Whitehouse, Straf. 2; Reagan, Dist 17; Transportation)

**HB 1650**, relative to limits in table stakes poker. (Williams, Hills. 4; Almy, Graf. 13; Ways and Means)

**HB 1651**, establishing a commission to study the collection of child abuse data. (Berrien, Rock. 18; Balcom, Hills. 21; LeBrun, Hills. 32; Sherman, Rock. 24; K. Rice, Hills. 37; Fothergill, Coos 1; Fuller Clark, Dist 21; Children and Family Law)

**HB 1652-FN-A**, establishing a teacher preparation for mathematics education scholarship program. (Gile, Merr. 27; Balcom, Hills. 21; Heath, Hills. 14; Education)

**HB 1653-FN**, establishing a citizen complaint and grievance website. (Brewster, Merr. 21; Legislative Administration)

**HB 1654-FN**, relative to flying drones near correctional facilities. (Cushing, Rock. 21; Fields, Belk. 4; Welch, Rock. 13; DiSesa, Straf. 16; Pantelakos, Rock. 25; Martin, Merr. 23; Berube, Straf. 18; O'Hearne, Sull. 3; Mangipudi, Hills. 35; Hirsch, Merr. 6; Soucy, Dist 18; Carson, Dist 14; Daniels, Dist 11; Criminal Justice and Public Safety)

**HB 1655-FN**, relative to registration fees for agricultural/industrial utility vehicles. (D. McGuire, Merr. 21; True, Rock. 4; Groen, Straf. 10; Scontsas, Hills. 30; Sanborn, Dist 9; Transportation)

**HB 1656-FN**, relative to exceptions to the real estate transfer tax. (D. McGuire, Merr. 21; Lovejoy, Rock. 36; Abrami, Rock. 19; Sanborn, Dist 9; Ways and Means)

**HB 1657-FN**, prohibiting firearms in certain public places. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Burton, Straf. 6; Berrien, Rock. 18; C. Chase, Ches. 8; P. Brown, Hills. 31; Criminal Justice and Public Safety)

**HB 1658-FN**, establishing one-stop business permitting. (Kurk, Hills. 2; Executive Departments and Administration)

**HB 1659**, relative to the implementation of the clean power state implementation plan. (Vose, Rock. 9; D. Thomas, Rock. 5; Vadney, Belk. 2; Science, Technology and Energy)

**HB 1660-FN-L**, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure. (J. Belanger, Hills. 27; Flanagan, Hills. 26; Edelblut, Hills. 38; Emerson, Ches. 11; McConnell, Ches. 12; Eastman, Hills. 28; Sanborn, Dist 9; Judiciary)

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation. (Schleien, Hills. 37; Zaricki, Hills. 6; Eastman, Hills. 28; Sad, Ches. 1; C. Roberts, Hills. 4; Horrigan, Straf. 6; Simpson, Rock. 18; Eaton, Ches. 3; J. Sweeney, Rock. 8; Health, Human Services and Elderly Affairs)

**HB 1662-FN**, relative to abortion-inducing drugs. (Wuelper, Straf. 3; Murotake, Hills. 32; Itse, Rock. 10; Prudhomme-O'Brien, Rock. 6; Souza, Hills. 43; Gould, Hills. 7; Notter, Hills. 21; Cataldo, Dist 6; Health, Human Services and Elderly Affairs)

**HB 1663-FN**, prohibiting buying, selling, and experimenting on unborn infants or bodily remains resulting from abortion. (Souza, Hills. 43; Gould, Hills. 7; Itse, Rock. 10; Notter, Hills. 21; Cordelli, Carr. 4; Gagne, Hills. 13; Groen, Straf. 10; Berube, Straf. 18; Wuelper, Straf. 3; Daniels, Dist 11; Judiciary)

**HB 1664-FN**, relative to pharmacy benefit managers. (Luneau, Merr. 10; Myler, Merr. 10; Butler, Carr. 7; Feltes, Dist 15; Health, Human Services and Elderly Affairs)

- HB 1665-FN**, adopting the interstate medical licensure compact. (Sherman, Rock. 24; Fothergill, Coos 1; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)
- HB 1666-FN**, relative to certain definitions in the motor vehicles law. (Goulette, Hills. 23; Spillane, Rock. 2; Transportation)
- HB 1667-FN-L**, repealing the statutes authorizing the department of education. (L. Christiansen, Hills. 37; Education)
- HB 1668-FN**, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders. (Flanagan, Hills. 26; Emerson, Ches. 11; Health, Human Services and Elderly Affairs)
- HB 1669-FN**, establishing a state procedure for conventions to ratify proposed amendments to the United States Constitution. (Abramson, Rock. 20; Legislative Administration)
- HB 1670-FN**, relative to public employee suggestions for cost-savings measures. (Flanagan, Hills. 26; Weyler, Rock. 13; Whitehouse, Straf. 2; L. Turcotte, Straf. 4; Sanborn, Dist 9; Finance)
- HB 1671-FN**, establishing an office of inspector general. (Marple, Merr. 24; Ingbreton, Graf. 15; Itse, Rock. 10; McClarren, Hills. 29; Lachance, Hills. 8; D. McGuire, Merr. 21; Executive Departments and Administration)
- HB 1672-FN-A-L**, relative to excess federal matching funds, property tax relief, and general fund appropriations. (Brewster, Merr. 21; Ways and Means)
- HB 1673-FN-L**, establishing cash balance plan within the state retirement system. (Hess, Merr. 24; Kurk, Hills. 2; Byron, Hills. 20; Special Committee on Public Employee Pension Plans)
- HB 1674-FN**, requiring the labeling of genetically engineered foods. (Abramson, Rock. 20; McConnell, Ches. 12; Environment and Agriculture)
- HB 1675-FN-A**, relative to the legalization and taxation of marijuana. (Brewster, Merr. 21; Criminal Justice and Public Safety)
- HB 1676**, relative to attachments on benefits under the judicial retirement plan. (Brewster, Merr. 21; Judiciary)
- HB 1677-FN**, abolishing the supreme court general counsel position and the judicial council. (Brewster, Merr. 21; Judiciary)
- HB 1678-FN**, relative to the information statement contained on a property tax bill. (Fromuth, Hills. 7; Biggie, Hills. 23; Municipal and County Government)
- HB 1679-FN**, relative to electioneering by a public official. (Lachance, Hills. 8; Election Law)
- HB 1680-FN**, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. (Sherman, Rock. 24; Snow, Hills. 42; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)
- HB 1681-FN**, relative to hypodermic syringes and needles containing trace amounts of controlled drugs. (Hannon, Straf. 25; Bouldin, Hills. 12; Edwards, Hills. 11; J. Frazer, Merr. 13; Wright, Carr. 8; J. Ward, Rock. 19; Avellani, Carr. 5; Biggie, Hills. 23; Hull, Graf. 9; C. McGuire, Merr. 29; Aldrich, Belk. 2; Simmons, Hills. 17; Butler, Carr. 7; Boutin, Dist 16; Watters, Dist 4; Health, Human Services and Elderly Affairs)
- HB 1682-FN**, relative to electioneering by public servants and relative to warrant articles. (Hull, Graf. 9; Election Law)
- HB 1683-FN-L**, relative to lowering the interest rate and costs for the redemption and repurchase of property subject to a tax lien or tax deed. (Hull, Graf. 9; Ammon, Hills. 40; Municipal and County Government)
- HB 1684-FN**, prohibiting the use of public funds, employees, and facilities in assisting or performing abortions. (Hoell, Merr. 23; Itse, Rock. 10; Ingbreton, Graf. 15; Abramson, Rock. 20; Hull, Graf. 9; Seidel, Hills. 28; Moore, Hills. 21; Judiciary)
- HB 1685-FN**, relative to mortgage bankers, brokers, and services. (Butler, Carr. 7; Commerce and Consumer Affairs)
- HB 1686-FN**, repealing the community heritage investment program. (Ammon, Hills. 40; Osborne, Rock. 4; Aldrich, Belk. 2; Hoell, Merr. 23; Jones, Straf. 24; Finance)
- HB 1687-L**, relative to governmental liability for personal injury on playground structures. (Hopper, Hills. 2; Woodbury, Hills. 5; Carson, Dist 14; Judiciary)
- HB 1688-FN-L**, relative to governmental liability for negligence claims. (Woodbury, Hills. 5; Hopper, Hills. 2; Judiciary)
- HB 1689**, relative to operator requirements under the meals and rooms tax. (Sterling, Ches. 14; Chandler, Carr. 1; Chirichiello, Rock. 6; Ways and Means)

**HB 1690-FN**, extending the New Hampshire health protection program. (Sherman, Rock. 24; Rosenwald, Hills. 30; Weber, Ches. 1; Elliott, Rock. 8; Fothergill, Coos 1; Butler, Carr. 7; Berch, Ches. 1; Horrigan, Straf. 6; P. Brown, Hills. 31; Feltes, Dist 15; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

**HB 1691-FN**, making certain changes to the renewable portfolio standard. (Vose, Rock. 9; D. Thomas, Rock. 5; Vadney, Belk. 2; Fromuth, Hills. 7; Science, Technology and Energy)

**HB 1692-FN**, revising the procedures relating to parole violation and parole revocation. (Abrami, Rock. 19; J. Ward, Rock. 19; Criminal Justice and Public Safety)

**HB 1693-FN-L**, abolishing fluoridation in water. (Marple, Merr. 24; Eastman, Hills. 28; V. Fraser, Belk. 1; Itse, Rock. 10; Resources, Recreation and Development)

**HB 1694-FN-A-L**, relative to the legalization and regulation of marijuana. (Hirsch, Merr. 6; Lachance, Hills. 8; O'Connor, Rock. 6; Ratzki, Merr. 1; Criminal Justice and Public Safety)

**HB 1695-FN**, establishing an office of health services planning and review within the department of health and human services. (Sherman, Rock. 24; Health, Human Services and Elderly Affairs)

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program. (Lachance, Hills. 8; Leishman, Hills. 24; Hagan, Rock. 4; Richardson, Coos 4; S. Schmidt, Carr. 6; Umberger, Carr. 2; Elliott, Rock. 8; Bradley, Dist 3; Boutin, Dist 16; Stiles, Dist 24; Health, Human Services and Elderly Affairs)

**HB 1697-FN**, relative to the operation and insurance of transportation network companies. (Hunt, Ches. 11; J. Belanger, Hills. 27; Steven Smith, Sull. 11; Soucy, Dist 18; Fuller Clark, Dist 21; Transportation)

**HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. (Abramson, Rock. 20; Duarte, Rock. 2; Lachance, Hills. 8; State-Federal Relations and Veterans Affairs)

**HCR 11**, encouraging and commending the governor and council to open meetings of the council with an opening prayer. (Itse, Rock. 10; Souza, Hills. 43; Ulery, Hills. 37; DeLemus, Straf. 11; Rideout, Coos 7; Hill, Merr. 3; Seidel, Hills. 28; Ingretson, Graf. 15; Executive Departments and Administration)

**HCR 12**, urging support of the 65/25 initiative in New Hampshire. (Burton, Straf. 6; Legislative Administration)

**HJR 3**, calling for the investigation and defunding of Planned Parenthood. (Groen, Straf. 10; Baldasaro, Rock. 5; DeLemus, Straf. 11; Berube, Straf. 18; Ulery, Hills. 37; V. Sullivan, Hills. 16; Souza, Hills. 43; Seidel, Hills. 28; Notter, Hills. 21; Moore, Hills. 21; Murotake, Hills. 2; Health, Human Services and Elderly Affairs)

**HJR 4-FN-A**, recognizing the failure of the clerk of the supreme court to process a notice of errors and requiring payment of certain money to Joseph Haas. (Brewster, Merr. 21; Finance)

**HJR 5-FN-A**, making a payment to Joseph Haas for compensation for unlawful incarceration. (Brewster, Merr. 21; Finance)

**HJR 6-FN-A**, making a payment to compensate Edward Brown for an illegal action. (Brewster, Merr. 21; Finance)

**HR 16**, calling on the United States Senate and House of Representatives to consider a constitutional amendment prohibiting campaign contributions unless the donor is eligible to vote in that election. (McConnell, Ches. 12; Spang, Straf. 6; Estevez, Hills. 37; Phillips, Ches. 16; Eastman, Hills. 28; Timothy Smith, Hills. 17; Coffey, Hills. 25; Abramson, Rock. 20; Legislative Administration)

**HR 17**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of Governor Maggie Hassan. (Brewster, Merr. 21; Judiciary)

**HR 18**, directing the house judiciary committee to investigate former superior court justices Robert Morrill and James O'Neill and retired Grafton county superior court clerk Robert Muh for violations of law and constitutions. (Brewster, Merr. 21; Judiciary)

**HR 19**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of the 5 executive councilors. (Brewster, Merr. 21; Judiciary)

**HCACR 13**, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts. (Brewster, Merr. 21; Judiciary)

**HCACR 14**, relating to government of right. Providing that the people of New Hampshire have the right of local community self government. (Emerson, Ches. 11; Suzanne Smith, Graf. 8; Burton, Straf. 6; Cooney, Graf. 8; Darrow, Graf. 17; Forrester, Dist 2; Legislative Administration)

**HCACR 15**, relating to the election of judges. Providing that judges be elected for specific terms. (Brewster, Merr. 21; Judiciary)

**HCACR 16**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. (Itse, Rock. 10; Ingbretonson, Graf. 15; Edelblut, Hills. 38; Hoell, Merr. 23; LeBrun, Hills. 32; Murotake, Hills. 32; Abramson, Rock. 20; Hull, Graf. 9; Avard, Dist 12; Children and Family Law)

**HCACR 17**, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting. (Bates, Rock. 7; Flanagan, Hills. 26; Hinch, Hills. 21; Hoelzel, Rock. 3; Packard, Rock. 5; Hunt, Ches. 11; Chandler, Carr. 1; Hogan, Hills. 34; Hoell, Merr. 23; Cataldo, Dist 6; Election Law)

**HCACR 18**, relating to compensation of legislators. Providing that members of the general court shall receive \$2,500 per year. (Gannon, Rock. 4; Luther, Belk. 3; Moody, Rock. 17; R. Christie, Hills. 6; Legislative Administration)

**HCACR 19**, relating to the taking of human life. Providing that the general court shall not appropriate nor authorize any expenditure to benefit any corporation having as its object the taking of innocent human life. (Hoell, Merr. 23; Itse, Rock. 10; Gould, Hills. 7; Ingbretonson, Graf. 15; Abramson, Rock. 20; Souza, Hills. 43; Wuelper, Straf. 3; Murotake, Hills. 32; Avard, Dist 12; Legislative Administration)

**HCACR 20**, relating to the veto of bills. Providing that a three-fifths vote of both houses of the general court be required to override a veto. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretonson, Graf. 15; Legislative Administration)

**HCACR 21**, relating to the attorney general. Providing that the attorney general be elected to a 4-year term. (Sylvia, Belk. 6; McLean, Hills. 15; Executive Departments and Administration)

**HCACR 22**, relating to the right to privacy. Providing that an individual's right to live free from governmental interference is fundamental and shall not be restricted unless the government demonstrates a compelling state interest. (Kurk, Hills. 2; Rouillard, Hills. 6; Whitehouse, Straf. 2; Daniels, Dist 11; Judiciary)

**HCACR 23**, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes. (Hunt, Ches. 11; Chandler, Carr. 1; Election Law)

**HCACR 24**, relating to the right to travel. Providing that all people have the right to travel within the state in their choice of privately owned conveyance. (Itse, Rock. 10; Ingbretonson, Graf. 15; Hoell, Merr. 23; Goulette, Hills. 23; Hull, Graf. 9; Spillane, Rock. 2; Aldrich, Belk. 2; Transportation)

**HCACR 25**, relating to legislation. Providing that bills dealing with assessments, rates, and taxes shall originate in the house of representatives. (Itse, Rock. 10; Hoell, Merr. 23; Ingbretonson, Graf. 15; Legislative Administration)

### MOTION TO DIVIDE

Rep. Hinch moved that **HB 1525-FN**, relative to the circumstances that constitute indecent exposure and lewdness, be divided from the introduction motion.

Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 160    NAYS 186**

#### YEAS - 160

##### BELKNAP

Dumais, Russell  
LeBreche, Shari  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Varney, Peter

Flanders, Donald  
Russell, David

Fraser, Valerie  
Tilton, Franklin

##### CARROLL

Avellani, Lino  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Crawford, Karel  
Parker, Harold

##### CHESHIRE

Hunt, John

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin

Brown, Duane  
Hull, Robert

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

**HILLSBOROUGH**

Balcom, John  
Byron, Frank  
Danielson, David  
Ferreira, Elizabeth  
Gould, Linda  
Halstead, Carolyn  
Kurk, Neal  
McClarren, Donald  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Takesian, Charlene

Belanger, James  
Christensen, Chris  
Donovan, Daniel  
Flanagan, Jack  
Goulette, William  
Hansen, Peter  
LeBrun, Donald  
Murotake, David  
Ohm, Bill  
Peterson, Ken  
Rowe, Robert  
Twombly, Timothy

Biggie, Barbara  
Christie, Rick  
Eastman, Eric  
Gagne, Larry  
Griffin, Barbara  
Hinch, Richard  
Marston, Dick  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Souza, Kathleen  
Ulery, Jordan

Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Gargas, Carolyn  
Haefner, Robert  
Hogan, Edith  
McCarthy, Peggy  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Straight, Phillip  
Wolf, Terry

**MERRIMACK**

French, Harold  
Horn, Werner  
Marple, Richard

Henle, Paul  
Kidder, David  
Parent, Jason

Hess, David  
Kotowski, Frank  
Walsh, Thomas

Hill, Gregory  
Long, Douglas

**ROCKINGHAM**

Abrami, Patrick  
Belanger, Ronald  
Chase, Francis  
DeSimone, Debra  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Katsakiores, Phyllis  
Milz, David  
Potucek, John  
Sytek, John  
Vose, Michael  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Chirichiello, Brian  
Devine, James  
Fesh, Robert  
Green, Dennis  
Hodgdon, Bruce  
Kolodziej, Walter  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

Azarian, Gary  
Bush, Carol  
Christie, Andrew  
Duarte, Joe  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Matthews, Carolyn  
Oligny, Jeffrey  
Rice, Frederick  
Tilton, Rio  
Webb, James

Barnes, Arthur  
Cardon, G. Thomas  
Cook, Allen  
Emerick, J. Tracy  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
McKinney, Betsy  
Peckham, Michele  
Sweeney, Joe  
Tucker, Pamela  
Welch, David

**STRAFFORD**

Beube, Roger  
Gray, James  
Kaczynski, Jr., Thomas  
Whitehouse, Joshua

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Gardner, Janice  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Pitre, Joseph

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 186****BELKNAP**

Aldrich, Glen  
Spanos, Peter

Gallagher, Brian

Howard, Jr., Raymond

Hurt, George

**CARROLL**

Buco, Thomas

Butler, Edward

Cordelli, Glenn

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
McConnell, James  
Roberts, Kris  
Sterling, Franklin

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Ley, Douglas  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

**COOS**

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Brown, Chris  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Massimilla, Linda  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Cohen, Alan  
Edwards, Elizabeth  
Gidge, Kenneth  
Hansberry, Daniel  
Hopper, Gary  
Mangipudi, Latha  
Moore, Josh  
Rice, Kimberly  
Schleien, Eric  
Smith, Gregory  
Vann, Ivy

Ammon, Keith  
Bouldin, Amanda  
Cornell, Patricia  
Estevez, Eric  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Manley, Jonathan  
O'Brien, Michael  
Roberts, Carol  
Scotsas, Lisa  
Snow, Kendall  
Walsh, Robert

Backus, Robert  
Brown, Pamela  
Cote, David  
Forest, Armand  
Gorman, Mary  
Heath, Mary  
Lachance, Joseph  
McLean, Mark  
O'Neil, William  
Rosenwald, Cindy  
Shattuck, Gilman  
Soucy, Timothy  
Williams, Kermit

Baroody, Benjamin  
Burt, John  
DiSilvestro, Linda  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Victoria  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Karrick, David  
MacKay, James  
Moffett, Howard  
Rice, Chip  
Seaworth, Brian  
Wheeler, Deborah

Bartlett, Christy  
Deloge, Helen  
French, Barbara  
Kenison, Linda  
Martin, John  
Myler, Mel  
Rogers, Katherine  
Shurtieff, Stephen

Bradley, Paula  
Doherty, David  
Gile, Mary  
Kuch, Bill  
McGuire, Carol  
Patten, Dick  
Saunderson, George  
Turcotte, Alan

Brewster, Michael  
Ebel, Karen  
Hoell, J.R.  
Luneau, David  
McGuire, Dan  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

**ROCKINGHAM**

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Itse, Daniel  
McBeath, Rebecca  
Osborne, Jason  
Simpson, Alexis  
Ward, Gerald

Bates, David  
Cushing, Robert  
Francese, Paula  
Kappler, Lawrence  
McMahon, Charles  
Pantelakos, Laura  
Spillane, James

Berrien, Skip  
Dean-Bailey, Yvonne  
Gordon, Pamela  
Lovejoy, Patricia  
Moody, Marcia  
Schroadter, Adam  
Tamburello, Daniel

Cahill, Michael  
DiFranco, Debbie  
Heffron, Frank  
Lundgren, David  
Nigrello, Robert  
Sherman, Thomas  
Tasker, Kyle

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Treleven, Susan

Bickford, David  
DeLemus, Susan  
Schmidt, Peter  
Turcotte, Leonard

Bixby, Peter  
Horriggan, Timothy  
Smith, Marjorie  
Wall, Janet

Burton, Wayne  
Kaen, Naida  
Spang, Judith  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne

and the motion failed.

The question now being adoption of the introduction motion.  
Motion adopted.

**CLERK'S NOTE**

The following House Bills were withdrawn by the sponsors and therefore not introduced: House Bills 1110, 1173, 1185, 1312, 1334, 1487, 1609 and 1643.

**MOTION TO VACATE**

Rep. Hess moved that the House vacate the reference of **HB 1591-FN-A**, relative to the health care premium contribution for retired public employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services, and **HB 1592-FN**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits and making an appropriation to the department of administrative services, to the Special Committee on Public Employees Pension Plans.  
Motion adopted.

The Speaker referred **HB 1591-FN-A** and **HB 1592-FN** to the Committee on Finance.

**MOTION TO VACATE**

Rep. Hunt moved that the House vacate the reference of **HB 1548-FN**, prohibiting the trade of shark fins, to the Committee on Commerce and Consumer Affairs.  
Motion adopted.

The Speaker referred **HB 1548-FN** to the Committee on Fish and Game and Marine Resources.

The Speaker addressed the House.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by the Speaker be printed in the Permanent Journal.  
Rep. Prudhomme-O'Brien requested a roll call; sufficiently seconded.

**YEAS 313 NAYS 41****YEAS - 313****BELKNAP**

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Varney, Peter

Fields, Dennis  
Hurt, George  
Spanos, Peter

Flanders, Donald  
LeBreche, Shari  
Tilton, Franklin

Fraser, Valerie  
Luther, Robert  
Vadney, Herbert

**CARROLL**

Buco, Thomas  
Cordelli, Glenn  
Nelson, Bill

Butler, Edward  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Ticehurst, Susan

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Rappaport, Laurence  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Brown, Duane  
Ford, Susan  
Ladd, Rick  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Brown, Rebecca  
Gionet, Edmond  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Cooney, Mary  
Hennessey, Erin  
Massimilla, Linda  
Smith, Suzanne

Brown, Chris  
Darrow, Stephen  
Hennessey, Martha  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Bouldin, Amanda  
Christensen, Chris  
Cote, David  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Gorman, Mary  
Haefner, Robert  
Heath, Mary  
Jack, Martin  
Long, Patrick  
McCarthy, Peggy  
Moore, Josh  
O'Neil, William  
Palmer, Barry  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Souza, Kathleen  
Takesian, Charlene  
Williams, Kermit

Backus, Robert  
Belanger, James  
Brown, Pamela  
Coffey, James  
Danielson, David  
Edelblut, Frank  
Flanagan, Jack  
Gargas, Carolyn  
Gould, Linda  
Hansberry, Daniel  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
McClarren, Donald  
Murotake, David  
Ober, Lynne  
Parison, James  
Porter, Marjorie  
Rouillard, Claire  
Smith, Gregory  
Straight, Phillip  
Twombly, Timothy  
Wolf, Terry

Balcom, John  
Biggie, Barbara  
Burt, John  
Cohen, Alan  
DiSilvestro, Linda  
Edwards, Elizabeth  
Forest, Armand  
Gidge, Kenneth  
Griffin, Barbara  
Hansen, Peter  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
McLean, Mark  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Sullivan, Daniel  
Vann, Ivy  
Woodbury, David

Baroody, Benjamin  
Booras, Efstathia  
Byron, Frank  
Cornell, Patricia  
Donovan, Daniel  
Estevez, Eric  
Freitas, Mary  
Goley, Jeffrey  
Guerette, C. Lee  
Harvey, Suzanne  
Hopper, Gary  
Leishman, Peter  
Marston, Dick  
McNamara, Richard  
O'Brien, Michael  
Ohm, Bill  
Peterson, Ken  
Roberts, Carol  
Schleien, Eric  
Soucy, Timothy  
Sullivan, Victoria  
Walsh, Robert  
Zaricki, Nick

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Hess, David  
Kidder, David  
Luneau, David  
Moffett, Howard  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
French, Harold  
Hill, Gregory  
Kotowski, Frank  
MacKay, James  
Myler, Mel  
Rice, Chip  
Seaworth, Brian  
Walsh, Thomas

Bradley, Paula  
Ebel, Karen  
Gile, Mary  
Karrick, David  
Kuch, Bill  
Marple, Richard  
Parent, Jason  
Rogers, Katherine  
Shurtleff, Stephen  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Henle, Paul  
Kenison, Linda  
Long, Douglas  
McGuire, Dan  
Patten, Dick  
Saunderson, George  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Bush, Carol  
Chase, Francis  
Cushing, Robert  
Doucette, Fred

Allen, Mary  
Belanger, Ronald  
Cahill, Michael  
Chirichiello, Brian  
DeSimone, Debra  
Duarte, Joe

Azarian, Gary  
Berrien, Skip  
Cali-Pitts, Jacqueline  
Christie, Andrew  
Devine, James  
Elliott, Robert

Barnes, Arthur  
Borden, David  
Cardon, G. Thomas  
Cook, Allen  
DiFranco, Debbie  
Emerick, J. Tracy



Ferrante, Beverly  
 Gannon, William  
 Harris, Jeffrey  
 Kappler, Lawrence  
 Matthews, Carolyn  
 Milz, David  
 Oligny, Jeffrey  
 Schroadter, Adam  
 Sweeney, Joe  
 Tilton, Rio  
 Ward, Joanne  
 Woitkun, Steven

Fesh, Robert  
 Gordon, Pamela  
 Heffron, Frank  
 Katsakiores, Phyllis  
 McBeath, Rebecca  
 Moody, Marcia  
 Pantelakos, Laura  
 Sherman, Thomas  
 Sytek, John  
 Tucker, Pamela  
 Webb, James

Francese, Paula  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 McKinney, Betsy  
 Nigrello, Robert  
 Peckham, Michele  
 Simpson, Alexis  
 Tasker, Kyle  
 Vose, Michael  
 Welch, David

Friel, William  
 Guthrie, Joseph  
 Introne, Robert  
 Lundgren, David  
 McMahon, Charles  
 O'Connor, John  
 Potucek, John  
 Spillane, James  
 Thomas, Douglas  
 Ward, Gerald  
 Weyler, Kenneth

### STRAFFORD

Baber, William  
 Burton, Wayne  
 Graham, Robert  
 Kaczynski, Jr., Thomas  
 Pitre, Joseph  
 Spang, Judith  
 Ward, Kenneth

Berube, Roger  
 Cheney, Catherine  
 Gray, James  
 Kaen, Naida  
 Rollo, Deanna  
 Stevens, Audrey  
 Wuelper, Kurt

Bickford, David  
 Cilley, Jacalyn  
 Hannon, Joseph  
 Leeman, Don  
 Schmidt, Peter  
 Treleaven, Susan

Bixby, Peter  
 Gardner, Janice  
 Horrigan, Timothy  
 Mullen, John  
 Smith, Marjorie  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Grenier, James  
 Rollins, Skip

Converse, Larry  
 Irwin, Virginia  
 Schmidt, Andrew

Gagnon, Raymond  
 Laware, Thomas  
 Smith, Steven

Gottling, Suzanne  
 Oxenham, Lee

### NAYS - 41 BELKNAP

Aldrich, Glen

Howard, Jr., Raymond

### CARROLL

Avellani, Lino

### CHESHIRE

McConnell, James

### COOS

Rideout, Leon

### GRAFTON

Hull, Robert

Johnson, Eric

### HILLSBOROUGH

Ammon, Keith  
 Halstead, Carolyn  
 Rice, Kimberly  
 Ulery, Jordan

Boehm, Ralph  
 Hogan, Edith  
 Sanborn, Laurie

Christie, Rick  
 Lachance, Joseph  
 Scotsas, Lisa

Goulette, William  
 Notter, Jeanine  
 Simmons, Tammy

### MERRIMACK

Brewster, Michael  
 McGuire, Carol

Hoell, J.R.

Horn, Werner

Martin, John

### ROCKINGHAM

Baldasaro, Alfred  
 Hodgdon, Bruce  
 Prudhomme-O'Brien, Katherine

Dean-Bailey, Yvonne  
 Itse, Daniel  
 Rice, Frederick

Gordon, Richard  
 Kolodziej, Walter  
 Tamburello, Daniel

Green, Dennis  
 Osborne, Jason

**STRAFFORD**

DeLemus, Susan

Groen, Warren

Jones, Laura

Turcotte, Leonard

Whitehouse, Joshua

and the motion was adopted.

**REMARKS**

**Speaker Jasper:** Before we move into the regular business of the House, I have a few remarks that I would like to open with. First, I want to thank and recognize the members who gave up so much of their time during the holiday season to serve on the joint task force (to combat the heroin and opioid crisis). I must say I was surprised and very pleased by the number of members who volunteered to serve on that committee. I think we can recall that during the debate on forming the task force that we were told by some that this task force would accomplish little or nothing. I personally think that nothing could be further from the truth, and we will see the results of their efforts very shortly. The second thing I'd like to talk about is behavior. I view the speaker's job, in no small part, to be one of protecting and preserving the reputation of this House, this institution that has been in existence in New Hampshire for centuries, and where thousands and thousands of citizens have served over those centuries. We, more importantly, have a responsibility to act with dignity, and to act with respect, because we represent not only ourselves, but our constituents, and, in fact, the entire state of New Hampshire. When we make comments, no one thinks, "Well, that's just an individual." They think of you, and myself as being a state representative. They think of you or I not representing our district but representing this body, and thus the entire state. I recognize that probably my remarks will fall on deaf ears in some cases, unfortunately. So I am going to speak to all of you, the vast majority of you who have been upholding the dignity of this institution, and promoting the well-being and reputation of this state, particularly at a time when the eyes of the nation are upon us. When virtually every news media from across the country is here on a daily basis to cover the first-in-the-nation primary. What can you do as individuals? What can I do as an individual? We can privately and sincerely and politely speak to our colleagues when they step out of line and go beyond the bounds of decency and respect. We can let them know when we believe they are not representing this institution well. That's a hard thing to do. But isn't that a problem in society today, in general, that no one wants to politely step up and say, "This is not the way to behave. This is not the way to accomplish your goals"? I hope that we can think about that. I hope that we can realize that when we take off our name badges, we are still, in fact, state representatives – each and every one of us. We can never separate ourselves from that title of "Honorable." I ask everyone to think about that because every minute of every day, that is your title: honorable. You have a responsibility to act, at all times, honorably. We must and we should hold each other to those standards if this institution is to have the respect that it has had for centuries. I want to thank you for taking the time to listen politely and hope that you will carry my message forward to all of your colleagues in the House, and that we won't be seen in a negative light in the national news or local news again this session. Thank you very much.

**CONSENT CALENDAR**

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 211**, establishing a commission to study domestic affairs, removed by Rep. Brewster.

**HB 378**, relative to shared residential responsibility and establishing a commission to study child support and related child care issues, removed by Rep. Brewster.

**HB 405-FN**, requiring the department of health and human services to license supervised visitation centers, removed by Rep. Oligny.

**SB 219-FN**, relative to breastfeeding, removed by Rep. Barbara Griffin.

**HB 400-FN**, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives, removed by Rep. Marple.

**HCACR 2**, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund, removed by Rep. Hoell.

**HB 585-FN-A**, relative to fines for violation of alcoholic beverage laws, removed by Rep. Hoell.

**HB 668-FN**, relative to expense deductions under the business profits tax, removed by Rep. Hoell. Consent Calendar adopted.

**HB 249**, relative to the award of alimony and the enforcement of orders under RSA 458. **REFER FOR INTERIM STUDY.**

Rep. Debra DeSimone for Children and Family Law. After significant work on this bill, the committee believes that the proposed amendment is not ready for prime time and needs more input from stakeholders. Due to time constraints and recognizing that more work needs to be done on this important issue, the committee recommends interim study. Vote 16-0.

**HB 114**, relative to grocery sales by stores licensed to sell alcoholic beverages. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bart Fromuth for Commerce and Consumer Affairs. Originally, this bill repealed the requirement that grocery stores and convenience stores maintain a certain inventory of food in order to be licensed to sell alcoholic beverages. The bill's sponsor felt that the food requirement was outdated, arbitrary, and led to a cost for store owners who wanted to sell beer only, with no discernable benefit to the state or the public. While many of the members of the committee agreed with the prime sponsor, it was felt that a specialty beer store license may be a more appropriate avenue to remedy the issue. Under the committee amendment to this legislation, any store owner who wishes to sell beer items without the food requirement may now do so, provided that they stock a variety of 400 or more beer labels. This amendment was supported by beer store owners, almost all committee members, and specialty beer drinkers everywhere. The only opponents were the NH Grocers Association and the NH Liquor Commission. They felt strongly that pairing alcohol with food items has been the law since Prohibition and was fundamental to the fabric of a stable society. It is of note that the state liquor stores do not have this requirement. Vote 18-2.

#### **Amendment (2453h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing beer specialty licenses.

Amend the bill by replacing all after the enacting clause with the following:

I New Section; Beer Specialty License. Amend RSA 178 by inserting after section 19-c the following new section:

178:19-d Beer Specialty License.

I. A beer specialty license may be issued by the commission to any person operating a retail outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer specialty license shall allow the licensee to sell beverage, wine, and tobacco products directly to individuals at retail on the premises for consumption off the premises; beer may be sold in such barrels, bottles, or other containers as commission may by rule prescribe.

II. Beer specialty licensees shall maintain an inventory of 400 or more selection of beer labels.

III. The commission may establish restrictions on the number of beer specialty licenses held by any person.

IV. All sales of beer and tobacco products shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

V. The commission may suspend the tobacco or alcohol sales portion of the license separately under the provisions of RSA 179:57.

2 New Subparagraph; Fees. Amend RSA 178:29, II by inserting after subparagraph (c) the following new subparagraph:

(d) Beer specialty:

(1) 1 register \$480

(2) 2-3 registers \$660

(3) 4 or more registers \$876

3 Effective Date. This act shall take effect July 1, 2016.

#### **AMENDED ANALYSIS**

This bill establishes beer specialty licenses for retail sales at eligible outlets for off-premises consumption.

**HB 327**, relative to investment crowdfunding. **REFER FOR INTERIM STUDY.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would allow New Hampshire-based business to raise equity funds via crowdfunding. Crowdfunding is a method of raising money for a project or venture by collecting small sums from many people, usually on the internet. While the committee is intrigued with the concept and recognizes that internet-based investing will become increasingly popular in the future, we felt there were too many unknowns and unsolved problems to proceed with this bill. The bill would have limited participants to “qualified” investors from New Hampshire. Like most internet activity, crowdfunding is a virtual activity that ignores state boundaries and the federal government has made no mechanism to allow crowdfunding securities. There could be many sales portals in the state. The Bureau of Securities Regulation in the Secretary of State’s office would be called on to manage the process, a task they are not prepared for. All of these issues and others caused us to vote for Interim Study on this interesting idea. Vote 19-0.

**HB 356**, exempting persons using private virtual currencies for internet commerce from the licensing requirements for money transmitters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph Hannon for Commerce and Consumer Affairs. This bill, as amended, establishes a commission to study the regulation of crypto currency in New Hampshire. Due to ongoing conflicting and evolving classifications of crypto currency from several federal agencies, it was deemed necessary to study the industry on an ongoing basis over the next 5 years. This commission will study whether the industry requires regulation at the state level in New Hampshire and will propose any legislation deemed necessary. Vote 18-2.

**Amendment (2534h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study cryptocurrency regulation.

1 New Subdivision; Commission to Study Cryptocurrency Regulation. Amend RSA 399-G by inserting after section 24 the following new subdivision:

**Commission to Study Cryptocurrency Regulation****399-G:25 Commission to Study Cryptocurrency Established.**

I. There is established a commission to study cryptocurrency regulation.

II. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed as follows: one member appointed by the speaker of the house of representatives, one member from the commerce committee appointed by the chair of the commerce committee, and one member of the ways and means committee, appointed by the chair of the ways and means committee.

(b) One member of the senate, appointed by the president of the senate.

(c) The banking commissioner, or designee.

(d) The director of the bureau of New Hampshire securities, or designee.

(e) One representative of the cryptocurrency industry, appointed by the governor.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall study whether regulation of the cryptocurrency industry is necessary in New Hampshire.

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

VI. The commission shall annually report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1.

2 Repeal. RSA 399-G:25, relative to the commission to study cryptocurrency regulation, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2021.

II. The remainder of this act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill establishes a commission to study the regulation of the cryptocurrency industry.

**HB 366**, relative to the alcohol percentage used to classify beverages. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill was introduced to increase the permissible alcohol content of beverages, liquors and specialty beers under the NH Liquor Laws. SB 93, which took effect on June 19, 2015, allows the Liquor Commission to approve fermented malt beverages with alcohol levels up to 8%. This narrower change fulfilled the intent of HB 366. Therefore, the committee agreed that this bill is not necessary. Vote 20-0.

**HB 596-FN-L**, relative to health insurance plans of public employers. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph Hannon for Commerce and Consumer Affairs. This bill declares that the state, or any political subdivision of the state, shall not offer its employees any health care plan subject to the excise tax under the Patient Protection and Affordable Care Act unless the extra expense arising from such tax is borne by the plan participants. This bill is not necessary because it was essentially passed in HB 2 earlier this year. Vote 19-0.

**HB 672-FN**, establishing a state bank. **REFER FOR INTERIM STUDY.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. Establishing a bank in the public interest is a very complicated subject and the committee agreed that it should be studied further. This bill would not "expand government" but rather, with its fiduciary responsibility, use the federal reserve debt system so that the state can create its own money through loans. This would permit the state to keep the approximately \$77 million paid in interest on bonds and loans every year and use it to benefit the people of NH. Vote 19-1.

**SB 64**, relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill, as adopted by the Senate, added rulemaking authority for the Pharmacy Board concerning complaints relative to the price of filling prescriptions paid by a pharmacy benefits manager or insurer. The bill also added authority for the Insurance Department to adopt rules for the enforcement of requirements for the price of filling prescriptions. The amendment removes the Insurance Department authority for adopting rules because it is not necessary; the department already has this authority. The amendment, however, clarifies the process for paying for filling prescriptions of covered persons. Vote 19-0.

**Amendment (1308h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Pharmacists and Pharmacies; Filling Prescriptions; Rulemaking Added. Amend RSA 318:5-a by inserting after paragraph XVIII the following new paragraph:

XIX. Establishing procedures to receive complaints of violations of RSA 415:6-aaa and RSA 420-J:7-b, X. Such rules shall include:

(a) Criteria and procedures to refer complaints to the insurance department.

(b) Methods for tracking the status of complaints referred to the insurance department and receiving department of insurance reports on the status.

(c) Procedures for reporting to the senate president, the speaker of the house of representatives, and the chairpersons of the house and senate committees with oversight of pharmacy benefit manager regulation the number of complaints received, the number and nature of complaints referred to the insurance department, and the status of referred complaints.

2 New Section; Filling Prescriptions; Individual. Amend RSA 415 by inserting after section 6-aa the following new section:

415:6-aaa Filling Prescriptions.

I. A pharmacy benefits manager or health carrier shall require that a covered person pay the lesser of the amount charged by the pharmacy for filling the prescription, the provider specified contract payment amount, or the covered person's benefit copayment.

II. Once a pharmacy benefit manager or health carrier has settled a claim for filling a prescription for a covered person and notified the pharmacy of the amount the pharmacy benefits manager

or health carrier will pay to the pharmacy for that prescription, the pharmacy benefits manager or health carrier shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the health carrier for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.

3 New Paragraph; Managed Care; Filling Prescriptions. Amend RSA 420-J:7-b by inserting after paragraph IX the following new paragraph:

X.(a) Every health benefit plan that provides prescription drug benefits shall require that a covered person pay the lesser of the amount charged by the pharmacy filling the prescription, the provider specified contract payment amount, or the covered person's benefit copayment.

(b) Once a pharmacy benefit manager or health carrier has settled a claim for filling a prescription for a covered person and notified the pharmacy of the amount the pharmacy benefits manager or health carrier will pay to the pharmacy for that prescription, the pharmacy benefits manager or health carrier shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the health carrier for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.

4 New Paragraph; Managed Care; Provider Contract Standards. Amend RSA 420-J:8 by inserting after paragraph XIV the following new paragraph:

XV.(a) A pharmacy benefits manager or health carrier shall prohibit a pharmacy from collecting more from the covered person than the lesser of the amount charged by the pharmacy for filling the prescription, the specified contract payment amount, or the covered person's benefit copayment.

(b) Once a pharmacy benefit manager or health carrier has settled a claim for filling a prescription for a covered person and notified the pharmacy of the amount the pharmacy benefits manager or health carrier will pay to the pharmacy for that prescription, the pharmacy benefits manager or health carrier shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the health carrier for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.

5 Repeal. RSA 318:47-h, relative to the price of filling prescriptions, is repealed.

6 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill clarifies the process of paying for filling prescriptions for covered persons. The bill also adds authority for the pharmacy board to adopt rules for enforcement of requirements for the price of filling prescriptions.

#### **SB 115-FN, relative to the resale of condominium and subdivision time shares. INEXPEDIENT TO LEGISLATE.**

Rep. Harold French for Commerce and Consumer Affairs. This bill was intended to address fraudulent practices that have developed in the timeshare and condominium resale market. After considering the bill and several amendments, the committee believes that this type of legislation could lead to unintended consequences. In addition, we have learned that industry leaders are working toward resolving the issues covered in this legislation within their own business transactions. As the problems they were trying to address were created by their business practices, the committee felt it best for them to resolve it without legislative intervention. Vote 19-0.

#### **SB 137, relative to cost-sharing parity for oral anti-cancer therapies. INEXPEDIENT TO LEGISLATE.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. This bill was introduced to establish cost-sharing parity for anti-cancer medication that is administered by a patient, and anti-cancer medication that is administered by a health care provider. This issue was addressed in a nongermane amendment that was added to HB 508 in the Senate. That bill was further amended in committee of conference to address concerns raised in the House, and it was signed into law in July. Therefore, there is no need for SB 137. Vote 19-0.

#### **HB 583-FN, requiring state law enforcement officers to wear a camera when interacting with the public and making an appropriation therefor. INEXPEDIENT TO LEGISLATE.**

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill was one of two retained by the committee that dealt with the subject of police worn body cameras. The committee decided to recommend Inexpedient to Legislate on this bill and to include recommendations for policy for the legislature to adopt in the other bill, HB 617. Vote 15-2.

**HB 243**, changing the definitions of “focus school” and “priority school” in the school performance and accountability law. **INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. This bill changes the definitions of “focus school” and “priority school” in the school performance and accountability law. The Department of Education has stated the method of reporting will be changed. The bill is no longer needed. Vote 20-0.

**HB 536**, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. The bill, as amended, codifies the current funding practice of paying special education services in charter public schools. Within the school adequacy funding formula, charter public schools receive base adequacy and \$2,000 per pupil for the differentiated aid categories: free and reduced meals, English language learners, and third grade reading. The differentiated aid amount for special education service per pupil is sent directly to the resident district. The resident district is responsible for special education services and the paying of those services in the charter public school. The resident district has authority to raise revenue through taxes, whereas the charter public school does not. Any revenue received from the federal Individuals with Disabilities Education Act is sent to the school districts. A resident district is the traditional school district within whose boundaries the child’s parents live. This is a housekeeping measure and puts into law funding practices that the Department of Education is currently following. Vote 19-0.

#### **Amendment (2523h)**

Amend the bill by replacing sections 1-2 with the following:

1 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, **I, II, and II-a** plus an additional grant of \$2,000 directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. ***The state shall pay amounts required pursuant to RSA 198:40-a, III directly to the resident district.***

2 Chartered Public Schools; Funding. Amend RSA 194-B:11, IV to read as follows:

IV. ~~[Any]~~ Federal or other funding available in any year to a sending district shall, to the extent and in a manner acceptable to the funding source, be directed to a chartered public school in a receiving district on an eligible per pupil basis. This funding shall include, but not be limited to, funding under federal Chapters I and II of Title II, and Drug-Free Schools, in whatever form the funding is available in any year. ***This paragraph shall not apply to funding available to school districts under the federal Individuals with Disabilities Education Act.***

Referred to the Committee on Finance.

**HB 581-FN**, requiring schools to continue the education of a child during the child’s suspension or expulsion. **REFER FOR INTERIM STUDY.**

Rep. Ralph Boehm for Education. The committee agreed that this bill dealing with suspensions and expulsions needed more study. Questions generated by the committee need to be answered with possible legislation to follow. Vote 19-0.

**HB 110**, relative to placement of political advertising. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Gannon for Election Law. Currently, it is not legal to place or affix political advertising on public or private property without the consent of the owner at any time. As amended, this bill is intended to permit political advertisements to be placed within in an authorized campaign area at the polling place on Election Day only. It requires the moderator or the governing body to provide consent for the placement of advertising within the curtilage or parking area of a polling place. Curtilage includes the building of the polling place, paths, roadways, trees, poles and other items and lesser buildings on it, including the land immediately surrounding it, and any closely associated area of land that is used in its daily activity. Vote 19-0.

#### **Amendment (2395h)**

Amend the bill by replacing section 1 with the following:

1 Placement and Removal of Political Advertising. Amend RSA 664:17 to read as follows:

664:17 Placement and Removal of Political Advertising.

***I.*** No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner’s consent. ~~[All political advertising~~

shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary.] Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes.

**II. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary.**

**III.** No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to public property or any private property except for removal by the owner of the property, persons authorized by the owner of the property, or a law enforcement officer removing improper advertising. Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept until one week after the election at a place designated by the state, city, or town so that the candidate may retrieve the items.

**IV. On election day, no political advertising shall be placed within the curtilage or parking area of any polling place without the governing body's or moderator's consent.**

#### AMENDED ANALYSIS

This bill specifies that political advertising within the curtilage or parking area of any polling place requires the governing body's or moderator's consent.

#### **HB 312, relative to registration of voters. INEXPEDIENT TO LEGISLATE.**

Rep. Adam Schroader for Election Law. This bill establishes a deed or lease as presumptive evidence of domicile for persons registering to vote. The NH Constitution was amended in 1976 to state: "Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile." Members of the preceding 1974 Constitutional Convention voted to make domicile a prerequisite for voting, rather than being an inhabitant or resident, with the intent to require a more definite and permanent qualification that preserves and promotes confidence in NH elections. It was deemed that a person may have multiple residences at one time, but only one domicile. For example, a domiciliary of Massachusetts, who owns a second residence on one of NH's lakes, could meet the residency requirements for both a Massachusetts driver's license and a NH boating license. Furthermore, one can own or rent property and not be domiciled in that property's voting district. Existing statute already empowers election officials to deem forms of proof of domicile not specifically listed in statute to be reasonable. For these reasons, the committee concluded that HB 312 should not become law. Vote 19-0.

#### **HB 393-FN, including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event. REFER FOR INTERIM STUDY.**

Rep. Marcia Moody for Election Law. This bill requires registration as a lobbyist for a partnership, firm, or corporation which promotes or distributes model acts to New Hampshire elected officials, and requires the elected official to report any compensation, honorariums, meals, beverages, lodging, transportation, or reimbursement for his or her attendance at a conference, meeting, or event for the legislative adoption of one or more model acts. In order to discuss fully the merits of an amendment to this bill, a hearing should be held by an interim study committee because the amendment is intended to replace the entire bill. It deserves a public hearing. Vote 19-0.

#### **HB 589-FN, relative to prohibited coercion of political contributions. INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for Election Law. This bill would clarify the language in existing law as it relates to coercion of political contributions. After testimony that no violations of this statute have been prosecuted in recent years, the committee believes that the existing law should remain unchanged. Vote 19-0.



**HB 659-FN-L, allowing all voters to vote by absentee ballot. OUGHT TO PASS WITH AMENDMENT.**

Rep. James Gray for Election Law. This bill would allow any voter to obtain an absentee ballot. The committee heard testimony from parents of small children and caregivers about the major disruption caused by their inability to meet the criteria to obtain an absentee ballot. The committee did not agree with allowing all voters to vote by absentee ballot. However, a majority agreed that we should expand the provision permitting a person to vote by absentee ballot if an employment obligation keeps them from getting to the polls to include people who are caring for children and infirm adults, with or without compensation. Vote 17-2.

**Amendment (2496h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to eligibility for an absentee ballot.

Amend the bill by replacing all after the enacting clause with the following:

1 Absentee Voting; Eligibility. Amend RSA 657:1 to read as follows:

657:1 Absence, Religious Observance, and Disability Absentee Voting. Any person who is absent on the day of any state election from the city, town, or unincorporated place in which he or she is registered to vote or who cannot appear in public on any election day because of his or her observance of a religious commitment or who is unable to vote there in person by reason of physical disability may vote at such elections as provided in this chapter. A person who is unable to appear at any time during polling hours at his or her polling place because *of* an employment obligation [~~requires the person to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close~~] shall be considered absent for purposes of this chapter. *For the purposes of this section, the term "employment" shall include the care of children and infirmed adults, with or without compensation.*

2 Absentee Voting; Forms. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States),  
Religious Observance, and Disability:

I hereby declare that (check one):

☐ I am a duly qualified voter who is currently registered to vote in this town/ward.

☐ I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

I will be entitled to vote by absentee ballot because (check one):

☐ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

☐ I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.

☐ I cannot appear in public on election day because of observance of a religious commitment.

☐ I am unable to vote in person due to a disability.

☐ I cannot appear at any time during polling hours at my polling place because *of* an employment obligation [~~requires me to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close~~]. *For the purposes of this application, the term "employment" shall include the care of children and infirmed adults, with or without compensation.*

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election (check one):

\_\_\_ Presidential Primary to be held on \_\_\_\_\_  
(MM/DD/YYYY)

(The date may appear as blank when the date is not known.)

\_\_\_ State Primary to be held on \_\_\_\_\_  
(MM/DD/YYYY)

\_\_\_ General Election

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

\_\_\_ Republican Party

\_\_\_ Democratic Party

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

\_\_\_\_\_  
(Last) (First) (Middle) (Sr., Jr., II., III)  
Applicant's Voting Domicile (home address):

\_\_\_\_\_  
(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)  
Mail the ballot to me at this address (if different than the home address):

\_\_\_\_\_  
(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)  
Applicant's Signature: \_\_\_\_\_

The applicant must sign this form to receive an absentee ballot.

Date Signed: \_\_\_\_\_  
(MM/DD/YYYY)

3 Absentee Voting; Materials. Amend RSA 657:7, II(a) to read as follows:

(a) Absence from City or Town. A person voting by absentee ballot because of absence from the city or town in which he or she is entitled to vote shall fill out and sign the following certificate:

I do hereby certify under the penalties for voting fraud set forth below that I am a voter in the city or town of \_\_\_\_\_, New Hampshire, in ward \_\_\_\_\_; that I will be unable to appear at any time during polling hours at my polling place because I will be working on election day or will be otherwise absent on election day from said city or town and will be unable to vote in person; that I have carefully read (or had read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind). ***For the purposes of this certification the term "working" shall include the care of children and infirmed adults, with or without compensation.***

(Signature) \_\_\_\_\_

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

4 Town Elections; Absentee Voting. Amend RSA 669:26 to read as follows:

669:26 Absentee Voting. Every town which has adopted an official ballot system for town elections as provided in RSA 669:12 or 669:13 shall provide for absentee voting. Any eligible voter who is absent from such a town on the day of a town election, or who cannot appear in public on election day because of his or her observance of a religious commitment, or who, by reason of physical disability, is unable to vote in person may vote at a town election in accordance with the provisions of this section and RSA 669:27-669:29. A person who is unable to appear at any time during polling hours at his or her polling place because ***of an employment obligation [requires the person to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close]*** shall be considered absent for purposes of this section and RSA 669:27-669:29. ***For the purposes of this section the term "employment" shall include the care of children and infirmed adults, with or without compensation.***

5 Effective Date. This act shall take effect upon its passage.

## AMENDED ANALYSIS

This bill modifies what constitutes an employment obligation for purposes of absentee voting.

**HB 466**, relative to the definition of "implement of husbandry." **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard Gordon for Environment and Agriculture. This bill as amended allows farm tractor registration and plates to be used on equipment that is designed for construction, if it is solely used for farming operations. The amendment includes a form on which the registrant certifies that he or she uses the equipment only on the farm. Town clerks will not be responsible for making such determinations. Vote 17-0.

**Amendment (2471h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to farm tractor plates for certain specialized vehicles.

1 Farm Tractor Plates; Specialized Vehicles. Amend RSA 261:83, II to read as follows:

II. Notwithstanding any provision of law to the contrary, a farm tractor that is fitted with attachments such as cultivators, loaders, or other equipment, specific to the activities of the farm, *or a specialized vehicle such as a backhoe, bulldozer, excavator, grader, or loader*, shall qualify for farm tractor registration rates and number plates, provided that it is being used exclusively for agriculture and farming purposes, and not being used for hire.

*III. For a person using a specialized vehicle under paragraph II to be eligible for the issuance of a farm tractor plate, the applicant shall sign the following form which the treasurer of a city or such other official as the city government may designate or the town clerk shall provide. This form shall be provided to the applicant upon request without further evidence from the applicant that the plate shall be used for purposes of this section.*

*I, the undersigned, fully understand the limitations concerning the use of specialized vehicles such as backhoes, bulldozers, excavators, graders, or loaders registered under RSA 261:83, and hereby certify that my vehicle will be used only for agricultural and farming purposes and uses incidental thereto. Signed:*

*Date:* \_\_\_\_\_

*Copies to:  
Town or City Clerk  
Applicant*

2 Effective Date. This act shall take effect 60 days after its passage.

## AMENDED ANALYSIS

This bill allows certain specialized vehicles used for agricultural purposes to qualify for farm tractor plates.

**HB 294**, establishing a commission to develop a strategic plan for New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill establishes a commission of legislators, state agency heads and members of the public to develop a strategic plan for NH. Subcommittee work on this bill has led to several productive conversations with the staff at the Division of Economic Development and the Office of Energy and Planning. The committee is satisfied that the crafting of a strategic plan is well under way and that a new commission is not necessary. Vote 11-0.

**HB 377**, establishing a commission to study the establishment of a state geographic information system office and the position of state geographic information officer. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Harold Parker for Executive Departments and Administration. The intent of this bill, as amended, is to codify the existing New Hampshire Geographic Information System Advisory Committee. The committee is composed of representatives from a number of state agencies who work to share access and pool geographic information system resources. We anticipate that all participants in the preexisting advisory committee will continue to participate in committee discussions regardless of whether they are appointed as voting members of the new committee. It is important that all participants provide input so that their expertise and knowledge can be used in formulating any future plans or decisions that will be beneficial to the state of New Hampshire. Vote 11-0.

**Amendment (2506h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state geographic information system committee.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. The intent of this act is to codify the existing New Hampshire geographic information system committee. The general court intends that all participants in the pre-existing committee continue to participate in committee discussions regardless of whether they are appointed as voting members of the committee. It is important that all participants provide input so that their expertise and knowledge can be used in formulating any future plans or decisions.

2 New Chapter; State Geographic Information System Committee. Amend RSA by inserting after chapter 4-E the following new chapter:

**CHAPTER 4-F  
NEW HAMPSHIRE GEOGRAPHIC INFORMATION  
SYSTEM COMMITTEE**

**4-F:1 Geographic Information System (GIS) Committee Established.**

I. There is established a New Hampshire geographic information system (GIS) committee.

II. The members of the committee shall be as follows:

(a) The commissioner or agency head of each of the following state agencies, or designee:

- (1) Adjutant general.
- (2) Department of agriculture, markets and food.
- (3) Department of corrections.
- (4) Department of cultural resources.
- (5) Department of education.
- (6) Office of energy and planning.
- (7) Department of environmental services.
- (8) Fish and game department.
- (9) Department of health and human services.
- (10) Department of information technology.
- (11) Department of resources and economic development.
- (12) Department of revenue administration.
- (13) Department of safety.
- (14) Department of transportation.

(b) The director of the University of New Hampshire's Geographically Referenced Analysis and Information Transfer (GRANIT) System, or designee.

(c) A municipal GIS manager, appointed by the New Hampshire Municipal Association.

III. All entities represented on the committee shall share access to geospatial data and resources with the exception of information that is nonpublic, statutorily restricted, or is part of a criminal investigation. Shared information shall be used exclusively for the benefit of the state, the state's political subdivisions, and other relevant parties. No entity represented on the committee shall use data or resources obtained from another entity represented on the committee for pecuniary gain.

IV. The committee shall review the use, development, and coordination of geospatial data and resources by state agencies and municipal governments and shall consider the need for central coordination, storage, and distribution of such data and resources, and suggest an appropriate response. The committee shall also consider GIS activities at public and semi-public agencies and identify avenues where legislation may further efficiencies through enhanced cooperation.

V. The first meeting of the committee shall be called by the commissioner of the department of information technology, or designee, and shall be held within 45 days of the effective date of this section. The members of the committee shall elect a chairperson from among the members at the first meeting and every 2 years thereafter. Nine members of the committee shall constitute a quorum.

VI. The committee shall report annually, beginning November 1, 2016, to the speaker of the house of representatives, the president of the senate, and the governor, on or before November 1. The reports shall describe the activities and findings of the committee and any recommendations for proposed legislation.

3 Effective Date. This act shall take effect upon its passage.

## AMENDED ANALYSIS

This bill establishes a state geographic information system committee.

**HB 562-FN-L**, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Edelblut for Finance. The committee recommends that this bill be Inexpedient to Legislate and its contents be placed into SB 227. The bill modifies RSA 198:41, IV(c) and limits stabilization grants. It provides that no stabilization grant shall be distributed to any municipality in which the municipality's education property tax revenues (RSA 76) exceed the total cost of an adequate education; and no stabilization grant shall be distributed to any municipality in which the municipality's Average Daily Membership is zero. Vote 25-0.

**SB 227**, relative to calculating the cost of an adequate education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth Weyler for Finance. There were several bills last session affecting the calculation and distribution of the adequate education grants. Some of the language in proposed bills was incorporated into HB 2, but the former bills had to be kept alive while the continuing resolution was in force. Now that the veto of HB 1 and HB 2 has been overridden, some of this language is not needed in separate bills. This bill also incorporates the language of HB 562 by removing adequacy distributions to municipalities that have no students and by having the caps on adequacy expire at the end of this biennium. The amendment takes out what would have been redundant language with HB 2. Many prior amendments were already passed that changed language. The committee amendment incorporated some provisions of HB 562, and changed 2014 to 2017 as the date for removing caps. Vote 25-0.

## Amendment (2553h)

Amend the bill by replacing all after the enacting clause with the following:

1 Adequate Education; Definitions. Amend RSA 198:38 to read as follows:

198:38 Definitions. *In this subdivision:*

I. (a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, *as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, [as defined in RSA 189:1-d, III of the school year in which the calculation is made,] in the determination year*, provided that no kindergarten pupil shall count as more than 1/2 day attendance per [calendar] school year. *ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.*

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A and who is enrolled in a school board approved public high school academic course shall count as an additional 0.15 pupil for each such academic course taken in a public high school. The department of education shall only make grant payments for such pupils to the extent of available appropriations. In this subparagraph, "public high school" shall have the same meaning as "high school" as defined in RSA 194:23.

II. "Commissioner" means the commissioner of the department of education.

III. "Department" means the department of education.

IV. "Determination year" means the school year immediately preceding the school year for which aid is determined. Unless otherwise indicated, determination year data shall be used to calculate aid.

V. [~~"Educationally disabled child" or "educationally disabled pupil"~~] *"Pupil receiving special education services" [shall mean "educationally disabled child"] means the ADMA of a child with a disability as defined in RSA 186-C:2, I.*

VI. "English language learner" means [~~a child~~] *the ADMA of a pupil* who has a predominant language other than English or who is educationally disadvantaged by a limited English proficiency, and who [~~is receiving regularly scheduled English language instruction. For the purposes of RSA 198:40-a, the department shall calculate the number of English language learners using ADMA data. The department shall use the ADMA of all pupils receiving English language learner services as of October 2006 in calculating 2006-2007 ADMA data~~] *participated in the annual assessment of English language proficiency required of such pupils by the Elementary and Secondary Education Act, 20 U.S.C. section 6311 (b)(7).*

**VI-a. “Municipality” means a city, town, or unincorporated place.**

VII. “Pupils eligible for a free or reduced-price meal” means *the ADMA* of pupils in [grade+1] *kindergarten* through grade 12 who are eligible for the federal free or reduced-price meal program. [For the purposes of RSA 198:40-a, the department shall calculate the concentration of pupils eligible for free or reduced-price meals using ADMA data. The department shall use the ADMA of pupils eligible for a free or reduced-price meal as of October 2006 in calculating ADMA concentrations for 2006-2007 ADMA data.] *No pupil or school shall be required to participate in the federal free or reduced price meal program.*

VIII. “School district” means school district as defined in RSA 194:1 and shall include cooperative school districts as defined in RSA 195:1, I.

2 Adequate Education; Cost of an Opportunity for an Adequate Education. RSA 198:40-a is repealed and reenacted to read as follows:

198:40-a Cost of an Opportunity for an Adequate Education.

I. For the biennium beginning July 1, 2015, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be as specified in paragraph II. The department shall adjust the rates specified in this paragraph in accordance with RSA 198:40-d:

II.(a) A cost of \$3,561.27 per pupil in the ADMA, plus differentiated aid as follows:

(b) An additional \$1,780.63 for each pupil in the ADMA who is eligible for a free or reduced price meal; plus

(c) An additional \$697.77 for each pupil in the ADMA who is an English language learner; plus

(d) An additional \$1,915.86 for each pupil in the ADMA who is receiving special education services; plus

(e) An additional \$697.77 for each third grade pupil in the ADMA with a test score below the proficient level on the reading component of the state assessment administered pursuant to RSA 193-C:6, provided the pupil is not eligible to receive differentiated aid pursuant to subparagraphs (b)-(d).

III. The sum total calculated under paragraph II shall be the cost of an adequate education. The department shall determine the cost of an adequate education for each municipality based on the ADMA of pupils who reside in that municipality.

3 Adequate Education; Consumer Price Index Adjustment. Amend RSA 198:40-d to read as follows:

198:40-d Consumer Price Index Adjustment. Beginning July 1, [2013] **2017** and every biennium thereafter, the department of education shall adjust the ~~sum of the amounts determined~~ **cost of an adequate education** under RSA 198:40-a based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the “services less medical care services” special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the biennium for which the calculation is to be performed.

4 Adequate Education; Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality’s fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter. *No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality’s education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality’s ADMA is zero.*

5 New Paragraphs; Adequate Education; Determination of Education Grants. Amend RSA 198:41 by inserting after paragraph IV the following new paragraphs:

V. The department shall use the best available data and methods to estimate ADMA and education grants by November 15 of the year preceding the school year for which aid is determined.

VI. The department shall produce a revised estimate of grants using actual determination year data for the purpose of settling municipal tax rates. A municipality’s grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph V. The commissioner of the department of education shall provide the estimate for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.

VII. When final determination year data is available, but not later than April 1, the department shall make a final determination of grant amounts. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph V. The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount disbursed for the fiscal year shall match the final grant determination.

VIII. Reports of grant determinations for municipalities required pursuant to paragraphs V-VII shall be available to the public by the date specified in paragraphs V-VII, and the department shall make available a report for multi-town school districts. The department of education shall provide the department of revenue administration the information needed to set tax rates.

6 Adequate Education; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42 to read as follows:

198:42 Distribution Schedule of Adequate Education Grants; Appropriation.

I. The adequate education grant determined in RSA 198:41 shall be distributed to each municipality's school district or districts ~~[legally responsible for the education of the pupils who attend approved public schools within the district or in other districts or who attend approved programs for children with disabilities, as the case may be,]~~ from the education trust fund in 4 payments of 20 percent on September 1, 20 percent on November 1, 30 percent on January 1, and 30 percent on April 1 of each school year; provided that for a dependent school district, the grant determined in RSA 198:41 shall be distributed to the municipality, which shall appropriate and transfer the grant funds to its dependent school department. ~~[During the course of the school year, the commissioner may make adjustments in grant payments necessitated by variations in the ADMA data for a school district for any fiscal year in which the ADMA calculation is made.]~~

II. For the fiscal year beginning July 1, 2005, and every fiscal year thereafter, the amount necessary to fund the grants under RSA 198:41 is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of adequate education grants.

III. The department of education shall certify the amount of each grant to the state treasurer and direct the payment thereof to the school district *or municipality*. ~~[When a payment of a grant is made to a school district, the municipality on whose behalf the payment is made shall receive notification from the state treasurer of the amount of the payment made to its school district or districts.]~~

IV. For chartered public schools approved by the state board of education, the department of education may expend budgeted amounts to fund chartered public school ~~[tuition]~~ payments under RSA 194-B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194-B:3-a.

7 Adequate Education; Submission of Data. Amend RSA 198:45 to read as follows:

198:45 Submission of Data.

[F] The governing body of every school district, city, joint maintenance agreement, chartered public school, or approved public academy shall submit all records, data, or other information required under this subdivision in accordance with the provisions of RSA 189:28.

~~[H. The commissioner of the department of education shall provide adequacy aid estimates for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.]~~

8 School Boards; Statistical Reports. Amend RSA 189:28 to read as follows:

189:28 Statistical Reports; Failure to File Report.

I. The governing body of every ~~[school district, city, joint maintenance agreement, chartered public school, or approved public academy]~~ *public education agency*, shall, on or before August 1 in each year, submit to the department of education those statistical reports necessary to compute the

average daily membership of pupils attending each school district, and the average daily membership of pupils resident in each school district. Information relating to the fall enrollment, drop-outs, staffing census, and average teacher salary, as of October 1 of each school year, shall be submitted to the department of education on or before October 15. Private schools shall submit average daily membership in attendance, fall enrollment, and teacher staff census.

II.(a) The information needed to determine compliance with performance or accountability measures of ~~[the school district, city, or public academy]~~ **public education agency** under RSA 193-E:3 or federal law, shall be submitted to the department of education in a timely manner as determined by the department of education. The state board of education shall ensure the accuracy and completeness of such data and shall take enforcement or other actions when necessary, including verification checks, for the purpose of enforcing the provisions of this section.

(b) If the department of education requests verification of information relevant to reports submitted, the ~~[school district, city, or public academy]~~ **public education agency** shall provide corrected information or verification within 10 business days of such request. The governing body of every ~~[school district, city, joint maintenance agreement, chartered public school, or public academy]~~ **public education agency** shall maintain files of all records, data, and other information submitted pursuant to this section for not less than 5 years from the date of submission. The state board of education shall have access to such records, data, and information for the purpose of ensuring the accuracy of reported information.

III. Each statistical report submitted under this section **by a public education agency** shall include a certification, signed by the ~~[superintendent of the school district,]~~ **chief executive official** that states: "I certify, under the pains and penalties of perjury, that all of the information contained in this document is true, accurate, and complete, and that the school board chairperson has received a copy of this document."

IV. The commissioner of the department of education may grant a school district, city, or public academy up to a 30-day extension of the reporting deadline set forth in paragraph I. The commissioner of the department of education shall notify the governing body of the ~~[school district, city, or public academy]~~ **public education agency** that all state aid to education and all federal aid, if the report is required by federal law, shall be withheld until such time as complete and accurate information is submitted.

V. The department of education shall determine the average daily membership in attendance of every ~~[school district, city, joint maintenance agreement, chartered public school, public academy]~~ **public education agency**, and private institution that operates an elementary or secondary school, and the average daily membership in residence of each school district, municipality within a cooperative school district, and unincorporated place.

**VI. In this section, "public education agency" means a school district, city, joint maintenance agreement, chartered public school, or approved public academy.**

9 Education Tax Credit; Definitions. Amend RSA 77-G:1, I to read as follows:

I. "Adequacy cost" means the total cost of the opportunity for an adequate education as defined in RSA 198:40-a~~[-I-HH]~~.

10 Education Tax Credit; Scholarship Organizations. Amend RSA 77-G:5, II(e) to read as follows:

(e) Notwithstanding RSA 193-E:5, on or before July 15, a scholarship organization shall furnish the unique pupil identifier and date of birth for each student eligible pursuant to RSA 77-G:1, VIII(a)(1) and (2) who is receiving a scholarship, and the subparagraph under which he or she was eligible, to the department of education. The department of education shall notify the scholarship organization within 30 days of any students who are ineligible under RSA 77-G:1, VIII(a)(1). The scholarship organization shall notify the department of education within 30 days if any student eligible under RSA 77-G:1, VIII(a)(1) or (2) is not awarded a scholarship or is awarded a scholarship yet subsequently returns to public school. The department of education shall return such student to the calculation of the average daily membership in residence, as defined in RSA 189:1-d, IV, for the student's school district of residence, and add the amount calculated under RSA 198:40-a~~[-I-HH]~~ to the adequate education grant amount to the student's school district of residence, and include such amount in the next adequate education grant payment made under RSA 198:42.

11 Education Tax Credit; Requirements. Amend RSA 77-G:7, I to read as follows:

I. The department of education shall determine the number of students receiving a scholarship under RSA 77-G:1, VIII(a)(1) and (2) who were counted in the calculation of the average daily membership in attendance, as defined in RSA 198:38, I, for schools, other than chartered public



schools, for the student's school district of residence and for each such student, shall deduct the amount calculated under RSA 198:40-a[~~,-I-HH~~] from the total education grant amount disbursed to the student's school district of residence calculated pursuant to RSA 198:40-a[~~,-IV(b)-(c)~~]. This adjustment shall be completed prior to September 1 of the program year in which the scholarships are granted.

12 School Money; Reports Required. Amend RSA 198:4-d, II to read as follows:

II. A report filed by the governing body of each city and school district shall revise all the estimated revenues for the year. This report shall be filed by September 1 of each year. The revised estimates by school districts for the adequate education grants calculated under RSA 198:41 shall be considered the most accurate within 5 percent of the amount estimated pursuant to RSA 198:40-a[~~,-V~~].

13 Repeal. The following are repealed:

I. RSA 198:40-b, relative to use of differentiated aid.

II. RSA 198:44, relative to the duties of the department of education and the state board of education.

14 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill revises the amount of differentiated aid distributed to a pupil, makes various changes to the deadlines and types of data to be used by the department of education in the calculation of adequate education grants, revises the stabilization grant amount distributed to certain municipalities, and repeals the provision relating to the use of differentiated aid.

**SB 265-FN**, establishing the achieving a better life experience (ABLE) savings account program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. This bill, creating the Achieving a Better Life Experience (ABLE) savings account program for those with certain disabilities, is the state adaptation of a federal program of the same name. The bill provides for the launch of an ABLE program as soon as the federal rules are finalized and a third party program administrator can be selected. The bill assigns the responsibility of implementation to the State Treasurer and Executive Director of the Governor's Commission on Disability so the state and affected communities are represented. The bill stipulates that the state incur no cost to implement the ABLE program. The bill's sponsor concurs with this amended version of the bill. Vote 25-0.

### Amendment (2446h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Achieving a Better Life Experience (ABLE) Savings Account Program. Amend RSA by inserting after chapter 195-J the following new chapter:

### CHAPTER 195-K

### ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) SAVINGS ACCOUNT PROGRAM

195-K:1 Definitions. In this chapter:

I. "Achieving a Better Life Experience Act of 2014" means the federal Achieving a Better Life Experience (ABLE) Act of 2014 which allows individuals with disabilities to establish tax-free 529-A savings accounts to save for medical, housing, transportation, employment training, education and other quality of life expenses.

II. "Executive director" means the executive director of the governor's commission on disability established in RSA 275-C.

III. "Individuals with disabilities" means individuals who are eligible for the program because their disabilities occurred on or before the individual attained age 26, as required by 26 U.S.C. section 529A(e)(1)-(2) of the federal Achieving a Better Life Experience Act of 2014.

IV. "Savings plan" means any plan administered as the New Hampshire ABLE savings account program.

195-K:2 Achieving a Better Life Experience (ABLE) Savings Account Program.

I. The state treasurer and the executive director shall establish and administer a qualified ABLE savings account program as authorized in the Achieving a Better Life Experience Act of 2014, and in accordance with the provisions of section 529A of the United States Internal Revenue Code of 1986, as amended, and may enter into such contracts as the state treasurer and the executive director deem necessary to achieve this purpose, subject to the approval of the governor and council.

II. The state treasurer and the executive director shall adopt rules relative to the administration, management, promotion, and marketing of the qualified ABLE program and ensure that the qualified ABLE program complies with section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the qualified ABLE program.

III. Any personnel and administrative costs related to plan administration within the state treasurer's office and the governor's commission on disability shall be funded from the savings plan.

IV. No general fund moneys shall be expended in support of the savings plan or its implementation.

#### 195-K:3 ABLE Savings Plan.

I.(a) The state treasurer and the executive director shall, as needed, issue requests for proposals to evaluate and determine the vehicle for investments of the savings plan and its administration.

(b) The state treasurer and the executive director shall consider and, if appropriate, give preference to proposals best meeting the following criteria:

(1) Ability to administer financial programs with individual account maintenance and reporting.

(2) Ability to develop and administer an investment program of a nature similar to the objectives of the ABLE savings plan.

(c) The final selection of the vehicle for investments and its administration shall be made by the state treasurer and the executive director.

(d) The state treasurer and the executive director may consider and contract with an ABLE savings account program previously established in another state.

II. The savings plan may be on a "cash only" basis, and may include provisions for automatic deductions.

III. The savings plan or such trust may be divided into multiple investment portfolios. If so divided, and if distinct records are maintained for any such portfolio and the assets associated with any such portfolio are accounted for separately from the other assets of the trust, then the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to a particular portfolio may be enforceable against the assets of such portfolio only, and not against the assets of the trust generally.

195-K:4 Funds Exempt From Interest and Dividends Tax. Income and distributions from any qualified ABLE program as defined in the Internal Revenue Code of 1986, as amended, shall be exempt from the interest and dividends tax pursuant to RSA 77:4-h, provided that distributions from the plan which are subject to federal income tax shall be subject to the interest and dividends tax pursuant to RSA 77 on the accrued income portion of the savings plan distribution.

#### 195-K:5 Authority to Issue Request for Proposals.

I. Within 6 months of the issuance of administrative rules by the Internal Revenue Service and the federal Department of Treasury governing implementation of any savings account programs authorized pursuant to the federal Achieving a Better Life Experience Act of 2014 (ABLE), the state treasurer, in consultation with the executive director, shall issue a request for proposals from third-party vendors to implement a savings plan pursuant to this chapter and in accordance with provisions of section 529A of the United States Internal Revenue Code of 1986, as amended. The state treasurer and executive director shall implement a savings plan pursuant to this chapter within 6 months after a suitable third-party vendor has been selected.

II. In selecting a third-party vendor, the state treasurer and executive director of the governor's commission on disability shall consider, and, if appropriate, give preference to proposals best meeting the following criteria:

(a) Ability to administer financial programs with individual account maintenance and reporting.

(b) Ability to develop and administer an investment program of a nature similar to the objectives of the ABLE plan.

III. The final selection of the vehicle for investments and administration shall be made by the treasurer and the executive director.

IV. The state treasurer and the executive director may consider and contract with an ABLE savings account program previously established in another state.

3 New Section; Interest and Dividends from Funds Invested in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Amend RSA 77 by inserting after section 77:4-g the following new section:

77:4-h Interest and Dividends from Funds Invested in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income and distributions from

any Achieving a Better Life Experience (ABLE) plan as defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter to the plan or its sponsors, participants, or beneficiaries to the extent that the same is exempted from federal income taxation under section 529-A of the Internal Revenue Code of 1986, as amended.

4 Contingent Repeal. The following are repealed:

I. RSA 195-K, relative to the Achieving a Better Life Experience savings account program.

II. RSA 77:4-h, relative to interest and dividends from funds invested in the Achieving a Better Life Experience savings account program.

5 Contingency. Section 4 of this act shall take effect upon the earlier of the following:

I. The date of certification from the state treasurer and the executive director of the governor's commission on disability to the secretary of state and the director of the office of legislative services that, after issuing a request for proposals, the treasurer and executive director of the governor's commission on disability have determined that no suitable vendor is available to implement the New Hampshire Achieving a Better Life Experience savings account program; or

II. The date of certification from the state treasurer and the executive director of the governor's commission on disability to the secretary of state and the director of the office of legislative services that the Internal Revenue Service and the federal Department of Treasury have not issued administrative rules governing implementation of any state savings account programs authorized pursuant to the federal Achieving a Better Life Experience Act of 2014; or

III. The date of certification from the commissioner of the department of administrative services to the secretary of state and the director of the office of legislative services that a general fund appropriation has been made to support the New Hampshire Achieving a Better Life Experience savings account program as established in RSA 195-K.

6 Effective Date.

I. Section 4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes the New Hampshire Achieving a Better Life Experience (ABLE) savings account program. The bill makes implementation of the program contingent on the adoption of federal administrative rules, the identification of a suitable third-party vendor to administer the program, or the adoption of a general fund appropriation.

**HB 629-FN**, relative to induced termination of pregnancy statistics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bill Nelson for Health, Human Services and Elderly Affairs. As amended, this bill provides statistical information that brings New Hampshire in line with 48 other states. The committee took care to be sure the identity of the patient is confidential and follows the Centers for Disease Control and Prevention (CDC) protocols. All stakeholders agreed to the final version of the bill. Vote 12-1.

### Amendment (2551h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Annual Report Required. Amend RSA 126-A by inserting after section 4-h the following new section:

126-A:4-i Induced Termination of Pregnancy; Annual Report.

I. In this section:

(a) "Aggregate summary" means compilation of the information received by the department of health and human services on induced terminations of pregnancy.

(b) "Department" means the department of health and human services.

(c) "Division" means the division of vital records administration, department of state.

(d) "Facility" or "medical facility" means any public or private hospital, clinic, center, medical school, medical training institution, health care facility, physician's office, infirmary, dispensary, ambulatory surgical treatment center, or other institution or location wherein medical care is provided to any person.

(e) "Health care provider" means any individual licensed to provide health care under RSA 326-B:18 or RSA 329 and who provides induced terminations of pregnancy.

(f) "Identification number for health care provider of facility" means a confidential identifier for a health care provider or a facility including the location of the health care provider or the facility by city, town, or county.

(g) "Induced termination of pregnancy" means an intervention performed by a licensed clinician, including a physician, nurse, midwife, nurse practitioner, or physician assistant, that is intended to terminate an ongoing pregnancy.

(h) "Patient confidential identification code or number" means a confidential identifier for a patient including primary residence by state and city, town, or county.

(i) "Procedure" means the process by which an induced termination of pregnancy occurs.

II.(a) The division shall collect non-identifying confidential data on induced termination of pregnancy occurring within the state of New Hampshire using the New Hampshire Vital Record Information Network (NHVRIN) electronic system or any modified or replacement electronic system under the jurisdiction of the division. The division shall bear all responsibility for maintaining the confidentiality of these records. These data shall be stored using only the confidential number of the health care provider assigned by the department to the provider prior to the submission of the form. Provider names or other identifying data shall not be stored in the division or department data systems. These data shall only be released to the department as authorized by this section. Each health care provider or facility shall use an electronic form for such purpose. The electronic form shall be made available by the department to each health care provider or facility. The form shall only require disclosure of information required under this section. The department shall assign a confidential number to each health care provider and facility required to submit the electronic form under this section. The confidential number, or any other personally identifiable information, obtained under this paragraph shall be for statistical purposes only and therefore be exempt from disclosure under RSA 91-A.

(b) The electronic form shall be completed by the health care provider or the facility and securely transmitted to the division on or before the 15th day of each month for all induced terminations of pregnancy occurring within the previous month. The electronic form shall only be submitted if induced terminations of pregnancy were performed in the preceding month.

(c) The department shall have sole responsibility for the analysis of the data and the preparation and distribution of the aggregate summary.

(d) The department shall publish an annual report, commencing on November 1, 2017, to be posted on the department's Internet website, based on an aggregate summary of the information obtained pursuant to this section. No data may be released by the department that would have the capacity to personally identify either the health care provider who performed the induced termination of pregnancy or the patient on whom it was performed.

III. The electronic form provided by the department shall include the following data:

(a) The confidential identification number for the health care provider or facility.

(b) The patient's confidential identification code or number.

(c) The patient's use and, if applicable, type of contraception.

(d) The patient's age.

(e) The estimated gestational age of the fetus as determined by the health care provider using as a reference the 2014 American College of Obstetricians and Gynecologists guidelines or any subsequent editions thereto.

(f) The county or municipality if the population of the municipality exceeds 20,000 based on the United States Census Bureau of the address of the patient. If the patient is a resident of another state, then indicated as out-of-state.

(g) Date of termination by month and year.

(h) Method of termination as follows:

(1) Curettage;

(2) Intrauterine installation;

(3) Medical (nonsurgical); or

(4) Other as specified by the health care provider.

IV. The department's annual report shall provide aggregate data using the following fields:

(a) The county or municipality if the population of the municipality exceeds 20,000 based on the United States Census Bureau of the address of the patient. If the patient is a resident of another state, then indicated as out-of-state.

(b) The patient's use and, if applicable, type of contraception.

(c) Patient age listed in ranges as determined by the department using Centers for Disease Control and Prevention (CDC) guidelines.

(d) Gestational age of the fetus listed in ranges as determined by the department using CDC guidelines.

(e) Method of termination as follows:

- (1) Curettage;
- (2) Intrauterine installation;
- (3) Medical (nonsurgical); or
- (4) Other as specified by the health care provider.

V.(a) Notwithstanding RSA 126:28 and except as otherwise provided in this section, information obtained by the department under this section shall be used only for statistical purposes and such information shall not be released in any manner other than that outlined in this section for preparation of the reports. Such release shall not occur in any manner which would lead to or permit the identification of the person on whom the procedure was performed. Any releases of the information obtained shall not disclose or permit the identification of any person filing a report, the facility at which the procedure was performed, or the identity of any health care provider as defined in RSA 126-A:4-i, I(d) who submits a report to the division under this section. The information obtained by the department in RSA 126-A:4-i, III(a), regarding the confidential identification number for the health care provider or facility, and RSA 126-A:4-i, III(b), regarding the patient's confidential identification code or number, shall only be used for internal auditing and quality assurance purposes by the department.

(b) Excluding any aggregate summary as defined in RSA 126-A:4-i, I(a), the department and division shall purge all data collected and obtained under this section after 3 years.

VI. If any provision of this section, or the application thereof to any person or circumstance, is held invalid, such determination shall not affect the provisions or applications of this section which can be given effect without the invalid provision or application, and to that end the provisions of this section are severable.

2 Effective Date. This act shall take effect January 1, 2017.

#### AMENDED ANALYSIS

This bill requires the department of health and human services to publish an annual report consisting of an aggregate statistical summary of all induced terminations of pregnancy performed in New Hampshire. This report shall be available to the public. Data submitted by providers shall be for statistical purposes only and not public records.

**SB 7**, adding duties to the joint health care reform oversight committee. **INEXPEDIENT TO LEGISLATE.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. This bill requires the joint health care reform oversight committee to provide oversight, policy direction, and recommendations for legislation regarding implementation of managed care and the New Hampshire health protection plan. Essentially the duties detailed in this legislation are not needed as they are contained in existing committees. Vote 13-0.

**SB 67**, establishing a commission to study opioid misuse in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill sought to create a new commission to study opioid misuse in the state. There is concern and no question that there is a problem with opioids and the escalating number of opioid overdoses. However, the committee believed that commissions exist to study substance abuse. Creating another commission was viewed as duplication and not expedient to providing a solution. Vote 13-0.

**SB 214-FN**, relative to the transfer of skilled nursing facility beds from the Franklin Regional Hospital. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies an exemption to the certificate of need law regarding the transfer of skilled nursing facility beds from Franklin Regional Hospital to other parts of its service area. After testimony and input from various parties, the bill was deemed unnecessary. Vote 13-0.

**HB 324**, relative to membership in a union. **INEXPEDIENT TO LEGISLATE.**

Rep. Leonard Turcotte for Labor, Industrial and Rehabilitative Services. This bill, as introduced,

inaccurately addresses the intent of the sponsor. Rather than make the numerous changes necessary to meet the sponsor's original intent, a new bill will be introduced (in the next session) that accomplishes what the bill's sponsor set out to do. Vote 14-0.

**HB 465**, relative to workers' compensation for domestic employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. After hearing testimony, the Insurance Department added a workers' compensation insurance classification that covers non-professional domestic workers. This new classification allows more affordable coverage for individuals who provide daily living assistance in an individual's residence. As a result, the Labor Committee did not feel a legislative 'solution' was needed. Vote 14-0.

**HB 477-FN-L**, relative to workers' compensation benefits and establishing payment schedules. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Ley for Labor, Industrial and Rehabilitative Services. The primary issue raised in this bill (medical payment schedules) was resolved by legislation passed in 2015 (Ch. 210 Laws of 2015, SB 133). The second issue raised (indemnity payments) may be more effectively addressed in future legislation. Vote 12-0.

**SB 45**, relative to opioid treatment agreements under workers' compensation law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Infantine for Labor, Industrial and Rehabilitative Services. The goal of this legislation was to create rules regarding opioid drug use for employees being treated under a workers' compensation claim. One major item had to do with written contracts between the doctor and patient that would include mandatory drug testing. There are a number of initiatives undertaken in the state to deal with the current opioid drug issues. The committee felt it was more appropriate to amend the bill to study the issue and see how other proposed changes would come into play with workers' compensation claims. Vote 14-0.

**Amendment (2544h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study opioid use in workers' compensation cases.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study opioid use in workers' compensation cases.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, one of whom shall be from the labor, industrial and rehabilitation committee, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties.

I. The committee's study shall include, but not be limited to, the following:

(a) Obtaining information regarding pain medicine and specifically opioid use in workers' compensation cases.

(b) The cost of opioid use for workers' compensation cases.

(c) The correlation between opioid use in workers' compensation cases and cases of addiction to the medicine.

(d) The feasibility of using a doctor-patient opioid use contract and its effects on opioid use.

II. The committee may solicit information from any person or entity the committee deems relevant to its study.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

## AMENDED ANALYSIS

This bill establishes a committee to study opioid use in workers' compensation cases.

**HB 399-FN**, establishing a force of state capitol security officers with the authority to carry firearms. **REFER FOR INTERIM STUDY.**

Rep. Richard Hinch for Legislative Administration. For a number of years we have been considering establishing a State Capitol Security Force. The safety and security of the public, employees, and elected officials could someday depend on this positive action. We do not have metal detectors. We do not check citizens entering our buildings. Referring this bill for Interim Study is a sensible first step in the process of ensuring the safety of our institution and the people in it. Vote 10-0.

**HB 229**, relative to increasing the maximum amount of the optional veterans tax credit. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill would have increased the maximum allowed Veteran Tax Credit in RSA 72:28, II from \$500 to \$700. The committee believed that the honorarium of \$500 was sufficient to recognize the sacrifice of veterans. Vote 13-0.

**HB 288-L**, relative to the code for energy conservation in new building construction. **INEXPEDIENT TO LEGISLATE.**

Rep. Lawrence Kappler for Municipal and County Government. This legislation is anti-energy conservation. Of all the speakers at both the public hearing and the retained subcommittee meeting, the only person speaking in favor of this legislation was the sponsor. Vote 13-0.

**HB 295**, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Coffey for Municipal and County Government. The original wording of HB 295 addressed issues related to municipal parking facilities that resulted in negative feedback from affected municipalities. It became quickly obvious that even after retaining this bill and working on it in a subcommittee, it was not going to be acceptable. The committee simply corrected an erroneous reference to a non-existent statute and inserted the correct reference. As amended, the bill continues the original intent and simply corrects the error in current law. It makes no changes with respect to maintenance or construction of municipal parking facilities. Vote 13-0.

## Amendment (2387h)

Amend the title of the bill by replacing it with the following:

AN ACT correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

Amend the bill by replacing all after the enacting clause with the following:

1 Municipal Agreements Regarding Parking Facilities. Amend RSA 203:8, IX to read as follows:

IX. To enter into agreements with municipalities for the construction of public parking facilities as provided in ~~[RSA 252-A]~~ **RSA 231**, provided, however, that any such agreement shall require that the public parking facilities shall be conveyed to the municipality or its designee upon completion of the project. Any authority may construct such facilities in any area that the municipality shall authorize and shall not be limited to blighted, substandard or slum areas.

2 Municipal Agreements Regarding Parking Facilities. Amend RSA 203:23, XV to read as follows:

XV. Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with a housing authority for the construction of public parking facilities as provided in ~~[RSA 252-A]~~ **RSA 231**; provided, however, that any such agreement shall require that the public parking facilities shall be conveyed to the municipality or its designee upon completion of the project. Any authority may construct such facilities in any area that the municipality shall authorize and shall not be limited to blighted, substandard or slum areas. Any municipality may issue and sell its general obligation bonds or notes as provided by ~~[RSA 252-A]~~ **RSA 231** to raise funds to be granted to a housing authority for the purposes of carrying out such agreements. Municipalities may make assessments as provided by ~~[RSA 252-A]~~ **RSA 231** and may increase motor vehicle permit fees as provided by ~~[RSA 260:27-b]~~ **RSA 261:154** in order to pay the cost of construction of a public parking facility including payment of indebtedness incurred by the issuance of such bonds or notes. Any such indebtedness shall be included in the net indebtedness of the municipality for the purpose of ascertaining its borrowing capacity only to the extent and under the conditions provided in ~~[RSA 252-A]~~ **RSA 231**.

3 Effective Date. This act shall take effect upon its passage.

## AMENDED ANALYSIS

This bill corrects a reference in a provision relative to municipal agreements regarding the construction of parking facilities.

**HB 501**, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill provides for the inclusion of veterans who served during non-qualifying periods in the "veteran's tax credit." This tax credit provides for a credit of \$50 to \$500 against the taxes of a qualifying veteran's primary residence. The amount varies based on what each town or city has voted to adopt. Part of the intent with this bill was to capture veterans that served between WWII and Korea, Korea and Vietnam and Vietnam and the first Gulf War. It also adds a one-year active duty service requirement. Present law requires a ninety-day active duty period during a qualifying (wartime) period. Passage of this bill could take away the tax credit from some veterans that presently qualify. While wanting a longer service time before qualifying for the tax credit is a desirable condition to some, removing the earned credit from those receiving it was not. A veteran separated from active duty after 100 days service may not be deemed to have earned the credit while one who was separated due to combat injuries after the same period of time should not be included in the same category. HB 430 extends the tax credit to all honorably discharged veterans without any other criteria being changed, accomplishes part of this bill's intent, was seen as the proper solution by this committee and is also on this calendar. The committee also discussed the possibility of a future bill that could address a change on the minimum time of active duty served for those serving in the future. Vote 13-0.

**HB 546**, relative to exactions for improvements related to innovative land use controls. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill would have extended the time from six years to ten years for a municipality to expend funds collected by exactions imposed by a planning board for improvements to infrastructure to accommodate a new development. Further, the bill would have established an advisory board to review the amount of the exactions. The committee was not convinced of the necessity of such a board. Vote 13-0.

**HB 619-FN-L**, establishing noise barrier programs and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Gene Chandler for Public Works and Highways. This bill deals with noise barriers on New Hampshire's highways. While sympathetic to the situation in some areas at the present time, the approved criteria does not allow for an expansion of the so-called Type 1 noise mitigation policy. The Department of Transportation has indicated that they are working on Type 2 criteria which may open the door for more noise mitigation projects to be approved. The results of the new Type 2 regulations should be ready by the time the Ten Year Highway Plan comes up for legislative action this coming year. Additionally, this bill would have funded certain noise mitigation projects using Meals and Rooms Tax monies collected at the Hooksett Welcome Centers. The committee did not feel this was a good idea. Vote 12-0.

**HB 143**, relative to electric renewable energy classes. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill sought to add hydroelectric generation to RPS Class 1. This addition runs the risk of introducing economic uncertainty to the electricity market and potentially destabilizing other RPS classes. The committee felt that while RPS changes may be needed, this change might cause too much disruption to the mix of energy generation sources that RPS currently supports. Vote 20-0.

**HB 105**, relative to special number plates for members of the Civil Air Patrol. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. The committee agreed that members of the Civil Air Patrol deserve a number plate, but could not reconcile the cost. A subsequent bill will allow them to seek recognition on number plates at no cost to taxpayers. Vote 11-0.

**HB 123**, relative to walking disability placards. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. This topic is addressed by the Committee to Study Issues Concerning Parking for those with Walking Disabilities created under Chapter 47:1, Laws of 2015, SB 171. Vote 11-0.



**HB 351**, exempting historically significant vehicles from emission control requirements. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill exempts historically significant or exotic vehicles from emission control requirements. These vehicles did not come with an on board diagnostic system (OBD) so there is no way to test them. This may affect an extremely small number of vehicles. Vote 11-0.

**HB 385-FN**, relative to special motorcycle number plates for disabled veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. The contents of this bill were amended to HB 280 making this bill unnecessary. Vote 14-0.

**HB 388-FN-A**, establishing university number plates. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill was initially retained by the committee knowing of the future work on a decal plate bill that will address specialty plates but it was ultimately not chosen as the vehicle for that work. Vote 11-0.

**HB 420-FN**, relative to limited driving privileges after revocation for certain financial obligations. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. During the public hearing it was determined that this bill's issues were addressed in current statutes. Vote 11-0.

**HB 535-FN**, relative to signs advising motorists approaching highway emergencies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Werner Horn for Transportation. The amendment to HB 535 provides for a method by which public-private partnerships can be conducted for the express purposes of the purchase and installation of signs promoting New Hampshire's "Move Over Law" (RSA 265:37-a). The amendment replaces the original bill, which did not include a funding mechanism. The amendment also provides for which highways these signs are to be posted on and the disposition of the unexpended funds. Vote 15-1.

**Amendment (2547h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Signs Advising Motorists Approaching Emergency Vehicles in the Breakdown Lane; Fund Established. Amend RSA 265 by inserting after section 37-b the following new section:  
265:37-c Signs Advising Motorists Approaching Emergency Vehicles in the Breakdown Lane; Fund Established.

I. There is established a nonlapsing revolving fund to be known as the emergency vehicle warning sign fund in the department of transportation which shall be funded by moneys paid through public-private agreements to post signs on the following highways, advising motorists to give one lane of clearance to emergency vehicles in the breakdown lane:

(a) I-93 Northbound, one sign at the Massachusetts border, one sign between Salem and Manchester, and 2 signs between Concord and the Vermont border.

(b) I-93 Southbound, one sign at the Vermont border, one sign between the Vermont border and Concord, and 2 signs between Concord and the Massachusetts border.

(c) I-89 Northbound, 2 signs between Concord and the Vermont border.

(d) I-89 Southbound, one sign at the Vermont border and one sign between the Vermont border and Concord.

(e) Rte. 101 Eastbound, one sign at the intersection with I-93 and one sign between the intersection with I-93 and Hampton.

(f) Rte. 101 Westbound, one sign at Hampton and one sign between Hampton and the intersection with I-93.

II. The moneys in the fund shall be expended solely for the purpose of posting the signs in paragraph I. When all such signs have been posted, any balance in the fund shall lapse to the general fund.

2 New Subparagraph; State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:

(332) Moneys deposited in the emergency vehicle warning sign fund established in RSA 265:37-c.

3 Effective Date. This act shall take effect 60 days after its passage.

## AMENDED ANALYSIS

This bill establishes a fund in the department of transportation, funded by payments from public-private agreements, for the sole purpose of posting signs advising motorists to give one lane of clearance to emergency vehicles in the breakdown lane.

This bill also specifies locations for those signs.

**HB 567-FN, establishing breast cancer and pediatric cancer special number plates. INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. The Department of Safety states the cost of this bill would be \$565,700. The committee members were sympathetic to the goal of bringing attention to breast cancer and pediatric cancer. However, the committee felt that the cost of these plates is prohibitive. The committee is working on formulating a decal program that could address this and other issues for special decals to affix onto plates. Vote 11-0.

**HB 688-FN-L, relative to establishing an agricultural education number plate. INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. Different organizations throughout New Hampshire would like to offer special motor vehicle plates for purchase by New Hampshire citizens to raise money for their very worthy causes. In light of the expected solution that may be offered in another bill, this bill is not necessary. The expected solution may contain features including, but not limited to, allowing the Department of Motor Vehicles to issue a special plate with room for a decal, the opportunity for organizations throughout New Hampshire to apply for approval for their own specific decal, and the elimination of possible constitutional issues by allowing these specific organizations to sell the approved decals themselves without state involvement. Vote 11-0.

**HB 386-FN-A, reducing the rate of the business profits tax. INEXPEDIENT TO LEGISLATE.**

Rep. Brian Gallagher for Ways and Means. The intent of this bill is to reduce the rate of the Business Profits Tax (BPT) from 8.5% to 7%. On Sept. 16, 2015 the legislature approved HB 1, HB 2 and SB 9, which enacted a timeline for reductions to the BPT. Thus the committee feels HB 386 is unnecessary and moot at this point in time. Vote 19-0.

**HB 569-FN-A, including certain nonprofit charitable enterprises under the business enterprise tax and reducing the rate of the tax. REFER FOR INTERIM STUDY.**

Rep. Gary Azarian for Ways and Means. The subcommittee process through the fall raised many more questions in regards to the subject that will hopefully be answered through additional study. Vote 17-0.

**HB 571-FN-A, relative to taxation of trusts under the interest and dividends tax. INEXPEDIENT TO LEGISLATE.**

Rep. David Hess for Ways and Means. This bill was introduced to serve as a "place keeper" in the event of confirmation that the recent statutory change applicable to the taxation of income and dividends from trusts results in a substantial reduction in tax revenue for FY 2015. The substantial increase in interest and dividends revenue in FY 2015 over FY 2014 indicated no such causal connection. Consequently this legislator, the bill's sponsor, requested that it be voted Inexpedient to Legislate. Vote 18-0.

**SB 144, relative to carry-over cover-all bingo. OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. The carry-over cover-all bingo game is currently in the statutes and is being played in NH. This game is allowed to be played once a day in bingo establishments. The object is to cover all card numbers within 49 draws. If there is no winner, then the prize money carries over to the cover-all game the next week. The object is to attract more players with the ever growing jackpots that are carrying over week after week. With more players another result will be increased sales of Lucky Seven tickets. Bingo halls are able to stay in business because of the Lucky Seven sales, since bingo on its own is a losing proposition for the halls. This bill, as passed by the Senate, was a concept lacking sufficient detail. The amendment supports the concept of commercial halls and charitable organizations increasing the potential jackpots even more by allowing them to conduct shared carry-over cover-all bingo games. Any commercial hall or charitable organization may apply to become a host hall with the Lottery Commission. They in turn would secure participating halls. Host halls and participating halls all must possess an existing bingo license from the commission. The host hall will be responsible for implementing the technology to be able to simulcast the cover-all bingo games. The Ways and Means Committee supported the concept of shared carry-over cover-all bingo which will help NH charities as well as help fund the Education Trust Fund. Vote 18-0.

**Amendment (2484h)**

Amend the title of the bill to read as follows:

AN ACT relative to carry-over coverall bingo and shared carry-over coverall bingo.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Shared Carry-Over Coverall Games of Bingo. Amend RSA 287-E:1 by inserting after paragraph IX the following new paragraph:

X. "Shared carry-over coverall" means a carry-over coverall bingo game conducted at a host hall and exhibited simultaneously to at least one participating hall by means of an electronic simulcast feed for the purpose of playing for a common jackpot with the conduct of the game at the host hall under rules adopted by the commission under RSA 541-A. "Host hall" means a commercial hall or charitable organization approved by the commission where a shared carry-over coverall bingo game originates. "Participating hall" means a commercial hall or charitable organization approved by the commission that receives a simulcast of the shared carry-over coverall played at the host hall.

2 Shared Carry-Over Coverall Games of Bingo. Amend RSA 287-E:3, XIV to read as follows:

***XIV. A carry-over coverall game or a shared carry-over coverall game, including the application process for host halls.***

***XV. Other matters related to the proper administration of this chapter.***

3 New Paragraph; Shared Carry-Over Coverall Bingo; Annual Report. Amend RSA 284:6-a by inserting after paragraph IV the following new paragraph:

IV-a. The lottery commission shall include a summary in its annual report under RSA 284:11 regarding the financial impact of shared carry-over coverall games to participating charities and the state, and any recommendations it has regarding the continuation of shared carry-over coverall games in New Hampshire.

4 Shared Carry-Over Coverall Games of Bingo. Amend RSA 287-E:7, XV-XVI to read as follows:

***XV. A progressive coverall game [~~or a shared carry-over coverall game~~]:***

- (a) May be played once during any given game date;
- (b) Shall be played on the second or last coverall;
- (c) Shall not have a total of prize and bonus combined exceeding \$3,000; and
- (d) May offer a predetermined consolation prize to the game winner who first achieves coverall.

***XVI. A carry-over coverall game ~~or a shared carry-over coverall game~~:***

- (a) May be played once during any given game date.
- (b) Notwithstanding any other law to the contrary, may allow prize money to accumulate until there is a winner.
- (c) Shall award a predetermined consolation prize to the game winner who first achieves coverall, the consolation prize is paid from the accumulated carry-over.
- (d) Shall award a prize which shall be taxed under RSA 287-E:8.

5 New Paragraph. Amend RSA 287-E:8-a by inserting after paragraph V the following new paragraph:

VI. All financial records pertaining to carry-over coverall bingo shall be maintained by the host hall or the host hall's shared carry-over coverall service provider for a period of at least 2 years, and shall be made available to representatives of the commission or of the commissioner of safety upon request.

6 New Section; Shared Carry-Over Coverall Bingo. Amend RSA 287-E by inserting after section 13 the following new section:

287-E:13-a Shared Carry-Over Coverall Bingo.

I. The commission may approve a host hall for shared carry-over coverall bingo if:

- (a) The host hall holds a valid bingo license under RSA 287-E:6.
- (b) At least 30 days before the proposed game date, the host hall submits a plan to the commission including:
  - (1) The distributor or manufacturer of the bingo equipment to be used for shared carry-over coverall bingo.
  - (2) The technology used to broadcast the game to participating halls. Such technology shall meet the International Technical Standards for Electronic Gaming Machines set forth by the International Association of Gaming Regulators.
  - (3) The name of the bank used to maintain prize money.

(4) The names and addresses of all participant halls.

(c) The host hall posts a bond, conditioned upon the host hall's compliance with the rules of the commission. The commission shall have the authority to set the bond at no less than \$50,000 and no more than the highest prized jackpot prize offered in the last 24 months

II. A host hall approved under paragraph I may conduct and simulcast carry-over coverall games in accordance with commission rules, and utilize software and electronic devices that have been tested by an independent testing laboratory and approved by the commission.

III. Host hall approval is non-transferrable.

IV. The commission shall respond to a host hall's request for approval for shared carry-over coverall bingo within 30 days of receipt of such request. Such approval shall be valid for one year from the date of its issue.

V. Shared carry-over coverall games shall be operated only by persons designated by the host hall.

VI. Numbers for shared carry-over coverall bingo shall only be selected by a live person.

VII. There shall be a limit of 18 cards per player.

VIII. There shall be no limit on the total value of prizes, tokens, or awards for any shared carry-over coverall game or series of shared carry-over coverall games.

IX. If a charitable organization enters into a contract with a host hall for shared carry-over coverall bingo, the charitable organization shall retain the profit percentage set by the commission on January 1 of each year, but which shall not be less than 7 percent of the gross revenues from any shared carry-over coverall bingo games. The host hall shall retain the profit percentage set by the commission on January 1 of each year based on the average cost of operating shared carry-over coverall bingo. Such percentage shall not be less than 7 percent of the gross revenues from any shared carry-over coverall bingo game. If the host hall is charitable organization the charitable organization shall receive both the charitable organization profit percentage and the host hall profit percentage. The host hall shall pay the bingo tax under RSA 287-E:8. No charitable organization shall sustain a loss from bingo such that its share of the gross revenues would be less than zero dollars, for the duration of its contact with a single host hall.

7 Effective Date. This act shall take effect 180 days after its passage.

### AMENDED ANALYSIS

This bill:

I. Defines shared carry-over coverall bingo, host hall, and participating hall.

II. Allows the lottery commission to adopt rules relative to carry-over coverall bingo and shared carry-over coverall bingo.

III. Describes the operation of shared carry-over coverall bingo.

### REGULAR CALENDAR

**HB 266**, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions. **INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for Children and Family Law. The majority of the committee believes that the Family Court and Probate Court divisions should have jurisdiction in the cases this bill would study, therefore making this study unnecessary. Vote 13-2.

Rep. Brewster Spoke against.

Rep. Gray spoke in favor.

Rep. Oigny spoke against and yielded to questions.

Rep. Itse requested a roll call; not sufficiently seconded.

On a division vote, with 265 members having voted in the affirmative and 89 in the negative, the committee report was adopted.

**HB 513**, relative to complaint investigation procedures of the guardian ad litem board. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Ingbertson for the Majority of Children and Family Law. The amendment to this bill rearranges for clarity the language of RSA 490-C:4, I (g) regarding complaint investigations procedures against guardians ad litem (GAL) and separates out the compliant dismissal part into its own section (h). The amendment also puts into statute a requirement that the GAL Board inform complainants of the options regarding the resubmission of complaints at the conclusion of a trial or hearing. This language was written with the help of the GAL Board which supports the changes. Vote 9-7.

Rep. Patrick Long for the Minority of Children and Family Law. The minority recognizes consequences with the language proposed in paragraph (g) of the amendment. Changing “shall” to “may” opens the door for parties involved in divorce proceedings to challenge their complaints of appointed guardians ad litem if the GAL Board decided there was not good cause shown while the case is still pending. The Children and Family Law Committee has consistently vetted proposed changes in statute as to its relation with adding conflict to an already conflicted court procedure for both parties. The minority believes this simple change does add conflict.

### **Majority Amendment (2001h)**

Amend the bill by replacing section 1 with the following:

1 Guardian Ad Litem Board; Complaint Investigation Procedures. RSA 490-C:4, I(g) is repealed and reenacted to read as follows:

(g) Investigate and resolve complaints against certified guardians ad litem, and against formerly certified guardians ad litem who are claimed to have engaged in acts or omissions prohibited when certified. In acting on complaints, the board may resolve complaints by agreement and may refer a complaint to the appropriate court for investigation, resolution, or other action. Such referral may be made regardless of whether the allegation or complaint relates to a case which is then pending in court and may be made in lieu of or in addition to any investigatory or disciplinary procedures that the board may itself be authorized to pursue.

(h) Dismiss complaints against certified guardians ad litem without prejudice when the complaint relates to a trial or judicial proceeding in progress, unless the board for good cause votes to proceed immediately with such complaint. When the board dismisses a complaint because the complaint relates to a trial or judicial proceeding in progress, the board shall inform the complainant that he or she may bring the complaint to the attention of the court that appointed the guardian ad litem and that the complainant may resubmit the complaint to the board at the conclusion of the trial or judicial proceeding.

### **AMENDED ANALYSIS**

This bill make changes in the investigation and dismissal procedures of the guardian ad litem board. Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**HB 515-FN**, relative to oversight of guardians ad litem by the guardian ad litem board. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Alethea Froburg for the Majority of Children and Family Law. It is estimated that this bill will increase state expenditures by approximately \$40,000 in FY 2016, with greater increases in each subsequent year. The Guardian Ad Litem Board does not have the time or resources necessary to analyze data to be collected in approximately 2,600 questionnaires per year. More importantly, even with the current funding, there are not enough guardians ad litem to meet current needs in low-income cases. Vote 12-4. Rep. Daniel Itse for the Minority of Children and Family Law. During the review of the Guardian Ad Litem Board audit it became apparent that there is no general assessment of GAL performance. Given the impact that GAL's can have on the well-being of children and families, the minority of the committee thinks that a method of performance review must be developed. Majority committee report adopted.

**HB 128**, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This is a classic case of “the devil is in the details.” This legislation sounds like a great idea. Unfortunately, no insurance company is interested in engaging in the business model proposed. The legislation is based on the premise that other states may have less expensive health insurance premiums than those available in NH. This may have been true prior to the passage of Obamacare, when other states allowed health insurance companies to set premiums based on the health status of the insured and NH did not. With the passage of Obamacare, all states rate premiums just like NH does. All health insurance policies have guaranteed issue, and premiums are the same within age bands to ensure that everyone pays at the same rate regardless of the person's preexisting health issues, so the major cost difference anticipated by this legislation no longer exists. Mandates could account for some differences in state premium levels, but, at best, health insurance mandates account for less than 5% of the premium and the vast majority of them are also part of the Obamacare law. So, again, there is not much savings there. The most significant

flaw of this legislation is that health insurance companies need to negotiate reimbursement rates with the doctors and hospitals and create networks. An out-of-state insurance company is going to need thousands of customers to have the critical mass to even begin negotiating with the hospitals. No out-of-state insurance company is going to invest the capital required for this without becoming an in-state insurance company. In addition, all insurance companies are regulated by their home state. This legislation requires the NH Insurance Department to generate rules to regulate some aspects of an out-of-state insurer's business. This is beyond the scope of the authority of the Insurance Department. Further, no insurance company is going to want to be partially regulated by the department. Without full regulation, the out-of-state insurance company would be exposed to litigation under the Consumer Protection Act, exposing them to triple damages. The minority of the committee argued that there is no harm in passing this legislation and that other states have passed similar legislation. Currently, no insurance company has taken advantage of the other states' laws. The majority of the committee felt that the Insurance Department should not spend time and resources developing rules when no insurance company is interested in the legislation. Vote 16-4.

Rep. McClarren spoke against.

Rep. Hunt spoke in favor.

Rep. Sanborn requested a roll call; sufficiently seconded.

## YEAS 221 NAYS 140

### YEAS - 221

#### BELKNAP

Fields, Dennis  
Luther, Robert

Flanders, Donald  
Russell, David

Fraser, Valerie

Hurt, George

#### CARROLL

Buco, Thomas  
McConkey, Mark

Butler, Edward  
Ticehurst, Susan

Chandler, Gene  
Umberger, Karen

Crawford, Karel

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Sad, Tara

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

#### COOS

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Moynihn, Wayne  
Thomas, Yvonne

Richardson, Herbert

#### GRAFTON

Abel, Richard  
Cooney, Mary  
Maes, Kevin  
Sykes, George

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Brown, Chris  
Hennessey, Martha  
Nordgren, Sharon  
White, Andrew

Brown, Rebecca  
Ladd, Rick  
Smith, Suzanne

#### HILLSBOROUGH

Backus, Robert  
Biggie, Barbara  
Cornell, Patricia  
Flanagan, Jack  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Jack, Martin  
Long, Patrick  
Martel, Andre

Baroody, Benjamin  
Booras, Elstathia  
Cote, David  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
McNamara, Richard

Beaulieu, Jane  
Brown, Pamela  
Danielson, David  
Freitas, Mary  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
O'Brien, Michael

Belanger, James  
Cohen, Alan  
DiSilvestro, Linda  
Gagne, Larry  
Griffin, Barbara  
Harvey, Suzanne  
Infantine, William  
Leishman, Peter  
Marston, Dick  
Ober, Lynne

Palmer, Barry  
 Roberts, Carol  
 Shattuck, Gilman  
 Soucy, Timothy  
 Vann, Ivy  
 Woodbury, David

Pellegrino, Anthony  
 Rosenwald, Cindy  
 Shaw, Barbara  
 Straight, Phillip  
 Walsh, Robert

Pierce, David  
 Rouillard, Claire  
 Smith, Gregory  
 Sullivan, Daniel  
 Williams, Kermit

Porter, Marjorie  
 Rowe, Robert  
 Snow, Kendall  
 Takesian, Charlene  
 Wolf, Terry

### MERRIMACK

Alicea, Caroletta  
 Deloge, Helen  
 French, Barbara  
 Hess, David  
 Kotowski, Frank  
 Myler, Mel  
 Rogers, Katherine  
 Turcotte, Alan

Bartlett, Christy  
 Doherty, David  
 French, Harold  
 Karrick, David  
 Luneau, David  
 Patten, Dick  
 Saunderson, George  
 Wallner, Mary Jane

Bradley, Paula  
 Ebel, Karen  
 Gile, Mary  
 Kenison, Linda  
 MacKay, James  
 Ratzki, Mario  
 Schuett, Dianne  
 Walsh, Thomas

Carson, Clyde  
 Frazer, June  
 Henle, Paul  
 Kidder, David  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen  
 Wheeler, Deborah

### ROCKINGHAM

Abrami, Patrick  
 Borden, David  
 Chase, Francis  
 Devine, James  
 Fesh, Robert  
 Green, Dennis  
 Hoelzel, Kathleen  
 Matthews, Carolyn  
 Milz, David  
 Pantelakos, Laura  
 Simpson, Alexis  
 Welch, David

Azarian, Gary  
 Cahill, Michael  
 Christie, Andrew  
 DiFranco, Debbie  
 Francese, Paula  
 Griffin, Mary  
 Katsakiores, Phyllis  
 McBeath, Rebecca  
 Moody, Marcia  
 Potucek, John  
 Sytek, John

Belanger, Ronald  
 Cali-Pitts, Jacqueline  
 Cushing, Robert  
 Elliott, Robert  
 Friel, William  
 Guthrie, Joseph  
 Kolodziej, Walter  
 McKinney, Betsy  
 Nigrello, Robert  
 Rice, Frederick  
 Tilton, Rio

Berrien, Skip  
 Cardon, G. Thomas  
 DeSimone, Debra  
 Ferrante, Beverly  
 Gordon, Pamela  
 Heffron, Frank  
 Lovejoy, Patricia  
 McMahon, Charles  
 O'Connor, John  
 Sherman, Thomas  
 Ward, Gerald

### STRAFFORD

Baber, William  
 Burton, Wayne  
 Gray, James  
 Rollo, Deanna  
 Sprague, Dale  
 Ward, Kenneth

Berube, Roger  
 Cilley, Jacalyn  
 Horrigan, Timothy  
 Schmidt, Peter  
 Stevens, Audrey

Bickford, David  
 Gardner, Janice  
 Jones, Laura  
 Smith, Marjorie  
 Treleven, Susan

Bixby, Peter  
 Graham, Robert  
 Kaen, Naida  
 Spang, Judith  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 Oxenham, Lee

Gottling, Suzanne  
 Rollins, Skip

Grenier, James  
 Schmidt, Andrew

### NAYS - 140

#### BELKNAP

Aldrich, Glen  
 Howard, Jr., Raymond  
 Tilton, Franklin

Dumais, Russell  
 LeBreche, Shari  
 Vadney, Herbert

Fisher, Robert  
 Spanos, Peter  
 Varney, Peter

Gallagher, Brian  
 Sylvia, Michael

### CARROLL

Avellani, Lino  
 Nelson, Bill

Comeau, Ed  
 Parker, Harold

Cordelli, Glenn  
 Wright, Ted

McCarthy, Frank

### CHESHIRE

McConnell, James

Roberts, Kris

Sterling, Franklin

Tilton, Benjamin

### COOS

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Piper, Wendy

Brown, Duane  
Hull, Robert  
Shackett, Jeffrey

Darrow, Stephen  
Ingbretson, Paul

Gionet, Edmond  
Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Bouldin, Amanda  
Christie, Rick  
Edelblut, Frank  
Gould, Linda  
Hogan, Edith  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Rice, Kimberly  
Simmons, Tammy  
Sweeney, Shawn

Ammon, Keith  
Burt, John  
Coffey, James  
Edwards, Elizabeth  
Goulette, William  
Hopper, Gary  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Sanborn, Laurie  
Souza, Kathleen  
Twombly, Timothy

Balcom, John  
Byron, Frank  
Donovan, Daniel  
Estevez, Eric  
Halstead, Carolyn  
Lachance, Joseph  
Moore, Josh  
O'Brien, William  
Peterson, Ken  
Schleien, Eric  
Stepanek, Stephen  
Ulery, Jordan

Boehm, Ralph  
Christensen, Chris  
Eastman, Eric  
Ferreira, Elizabeth  
Hansen, Peter  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Proulx, Mark  
Scoutsas, Lisa  
Sullivan, Victoria  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

Horn, Werner  
Martin, John  
Seaworth, Brian

**ROCKINGHAM**

Allen, Mary  
Bush, Carol  
Duarte, Joe  
Harris, Jeffrey  
Kappler, Lawrence  
Peckham, Michele  
Sweeney, Joe  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Chirichiello, Brian  
Emerick, J. Tracy  
Hodgdon, Bruce  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Tamburello, Daniel  
Vose, Michael

Barnes, Arthur  
Cook, Allen  
Gannon, William  
Introne, Robert  
Oigny, Jeffrey  
Schroader, Adam  
Tasker, Kyle  
Ward, Joanne

Bates, David  
Dean-Bailey, Yvonne  
Gordon, Richard  
Itse, Daniel  
Osborne, Jason  
Spillane, James  
Thomas, Douglas  
Webb, James

**STRAFFORD**

Cheney, Catherine  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

DeLemus, Susan  
Leeman, Don  
Whitehouse, Joshua

Groen, Warren  
Mullen, John  
Wuelper, Kurt

Hannon, Joseph  
Pitre, Joseph

**SULLIVAN**

Converse, Larry                      Laware, Thomas  
and the committee report was adopted.  
Rep. Leeman voted Nay and intended to vote Yea.

**HB 131**, relative to renewal of health club memberships. **INEXPEDIENT TO LEGISLATE.**  
Rep. Bart Fromuth for Commerce and Consumer Affairs. The sponsor of this bill sought to end the practice of automatic membership renewals at health clubs. Currently, health clubs are able to offer a 12-month initial membership, but they are prohibited from automatically renewing that membership for more than 1 month at a time. Under this legislation, each gym would be required to have each member come into the facility at the end of the 12 months and physically sign a subsequent agreement. Furthermore, the Consumer Protection Division of the Attorney General's office reported less than 5 complaints regarding gym cancellations over the last 2 years. To the vast majority of Commerce Committee members, this seemed to be an unwarranted and unwelcome burden on both the customer and the business. Vote 19-1.  
Committee report adopted.



**HB 197-FN, relative to sales and samples provided by wine manufacturers. OUGHT TO PASS WITH AMENDMENT.**

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill as amended allows wine manufacturers to set up 2 additional "off site" tasting rooms throughout the state, in which patrons can sample and purchase the manufacturer's fine domestic product. At present, a wine manufacturer may not set up their own permanent storefront away from their manufacturing site. For many of our cherished wine makers not located in or around heavy population centers of the state, it means that they have little opportunity to showcase their brand outside of traffic at their main facility. With this proposed change, a manufacturer in the western part of the state might opt to have storefronts in Portsmouth and North Conway, reaching new customers, hiring new employees, and generating new revenues. This legislation is a true win-win for business and the state. Vote 15-5.

**Amendment (2457h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Wine Manufacturer License. Amend RSA 178:8, III to read as follows:

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery for off-premises consumption any of its wines. Visitors of legal drinking age at said premises may be provided with samples of wine manufactured on the premises for tasting. Samples may be provided either free or for a fee and shall be limited to one 2-ounce sample per label per person. *The commission may issue additional licenses to a wine manufacturer to operate no more than 2 additional tasting rooms for both samples and retail sales of its own wine separate and apart from its manufacturing facility, subject to payment of an annual fee of \$420 for each location.* Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a wine festival licensed under RSA 178:31, and may sell such products at retail in the original container.

2 Effective Date. This act shall take effect January 1, 2017.

**AMENDED ANALYSIS**

This bill authorizes the wine manufacturer to conduct sampling and retail sales at locations other than its manufacturing facility.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 360 NAYS 1****YEAS - 360****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

**CARROLL**

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

**COOS**

Fothergill, John  
Richardson, Herbert  
Thomas, Yvonne

Froburg, Alethea  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

Rappaport, Laurence  
Tholl, John

**GRAFTON**

Abel, Richard  
Brown, Duane  
Ford, Susan  
Hull, Robert  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Brown, Rebecca  
Gionet, Edmond  
Ingbretson, Paul  
Massimilla, Linda  
Smith, Suzanne

Bailey, Brad  
Cooney, Mary  
Hennessey, Erin  
Johnson, Eric  
Nordgren, Sharon  
Sykes, George

Brown, Chris  
Darrow, Stephen  
Hennessey, Martha  
Ladd, Rick  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Boehm, Ralph  
Burt, John  
Coffey, James  
Danielson, David  
Edelblut, Frank  
Flanagan, Jack  
Gidge, Kenneth  
Goulette, William  
Halstead, Carolyn  
Heath, Mary  
Hopper, Gary  
Lachance, Joseph  
Mangipudi, Latha  
McCarthy, Peggy  
Moore, Josh  
O'Brien, Michael  
Ober, Russell  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Scotsas, Lisa  
Smith, Gregory  
Stepanek, Stephen  
Sweeney, Shawn  
Vann, Ivy  
Woodbury, David

Ammon, Keith  
Beaulieu, Jane  
Booras, Efstathia  
Byron, Frank  
Cohen, Alan  
DiSilvestro, Linda  
Edwards, Elizabeth  
Forest, Armand  
Goley, Jeffrey  
Griffin, Barbara  
Hansberry, Daniel  
Herbert, Christopher  
Infantine, William  
LeBrun, Donald  
Manley, Jonathan  
McClarren, Donald  
Murotake, David  
O'Brien, William  
Ohm, Bill  
Peterson, Ken  
Rice, Kimberly  
Rowe, Robert  
Shattuck, Gilman  
Snow, Kendall  
Straight, Phillip  
Takesian, Charlene  
Walsh, Robert  
Zaricki, Nick

Backus, Robert  
Belanger, James  
Bouldin, Amanda  
Christensen, Chris  
Cornell, Patricia  
Donovan, Daniel  
Estevez, Eric  
Freitas, Mary  
Gorman, Mary  
Guerette, C. Lee  
Hansen, Peter  
Hinch, Richard  
Jack, Martin  
Leishman, Peter  
Marston, Dick  
McLean, Mark  
Murphy, Keith  
O'Neil, William  
Palmer, Barry  
Pierce, David  
Roberts, Carol  
Sanborn, Laurie  
Shaw, Barbara  
Soucy, Timothy  
Sullivan, Daniel  
Twombly, Timothy  
Williams, Kermit

Balcom, John  
Biggie, Barbara  
Brown, Pamela  
Christie, Rick  
Cote, David  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Gould, Linda  
Haefner, Robert  
Harvey, Suzanne  
Hogan, Edith  
Kurk, Neal  
Long, Patrick  
Martel, Andre  
McNamara, Richard  
Notter, Jeanine  
Ober, Lynne  
Parison, James  
Porter, Marjorie  
Rosenwald, Cindy  
Schleien, Eric  
Simmons, Tammy  
Souza, Kathleen  
Sullivan, Victoria  
Ulery, Jordan  
Wolf, Terry

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Henle, Paul  
Horn, Werner  
Kotowski, Frank  
MacKay, James  
McGuire, Dan  
Patten, Dick  
Saunderson, George  
Turcotte, Alan

Bartlett, Christy  
Deloge, Helen  
French, Barbara  
Hess, David  
Karrick, David  
Kuch, Bill  
Marple, Richard  
Moffett, Howard  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bradley, Paula  
Doherty, David  
French, Harold  
Hill, Gregory  
Kenison, Linda  
Long, Douglas  
Martin, John  
Myler, Mel  
Rice, Chip  
Seaworth, Brian  
Walsh, Thomas

Brewster, Michael  
Ebel, Karen  
Gile, Mary  
Hoell, J.R.  
Kidder, David  
Luneau, David  
McGuire, Carol  
Parent, Jason  
Rogers, Katherine  
Shurtleff, Stephen  
Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Belanger, Ronald	Berrien, Skip
Borden, David	Bush, Carol	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Francesce, Paula
Friel, William	Gannon, William	Gordon, Pamela	Gordon, Richard
Green, Dennis	Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Lovejoy, Patricia	Lundgren, David	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Moody, Marcia	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Pantelakos, Laura
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Sherman, Thomas	Simpson, Alexis	Spillane, James
Sweeney, Joe	Sytek, John	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	Tilton, Rio	Tucker, Pamela	Vose, Michael
Ward, Gerald	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth			

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DeLemus, Susan
Gardner, Janice	Graham, Robert	Gray, James	Groen, Warren
Hannon, Joseph	Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Leeman, Don	Mullen, John	Pitre, Joseph
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleven, Susan	Turcotte, Leonard
Wall, Janet	Ward, Kenneth	Whitehouse, Joshua	Wuelper, Kurt

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

**NAYS - 1****ROCKINGHAM**

McBeath, Rebecca

and the committee report was adopted and ordered to third reading.

**HB 601-FN, relative to cash dispensing machine requirements. OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. As originally submitted, this bill would have removed any notification to the Banking Department for privately owned and operated cash dispensing machines. As amended, it will continue to require registration of such machines, but will reduce the renewal fee to just \$5 annually. The Banking Department has stated that this reduced fee will cover the cost of filing the basic reports of ownership, address and contact information. Vote 18-2.

**Amendment (2527h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Notice; Cash Dispensing Machines. Amend RSA 399-F:3, I(b) to read as follows:

(b) Fee of \$50 payable to the state of New Hampshire ~~in certified funds~~.

2 Notice; Cash Dispensing Machines. Amend RSA 399-F:3, II to read as follows:

II. Commencing in the calendar year following an operator's compliance with paragraph I, the operator shall provide annually before July 1 to the commissioner a notice and fee in accordance with the provisions of ~~[subparagraphs]~~ *subparagraph I(a) and I(b) and a renewal fee of \$5 payable to the state of New Hampshire.*

3 Notice; Cash Dispensing Machines. Amend RSA 399-F:3, V to read as follows:

V. The operator of a cash dispensing machine who fails to completely and accurately abide by this section shall not legally establish or operate such cash dispensing machine until [section] **paragraph** I is fully complied with, except that a fee of \$100, [rather than \$50;] shall be paid.

4 Repeal. RSA 399-F:5, II, relative to fees collected for the operation of cash dispensing machines, is repealed.

5 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill sets a renewal fee for operators of cash dispensing machines.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Schleen requested a roll call; not sufficiently seconded.

Committee report adopted and ordered third reading.

**SB 75**, relative to unfair trade practices targeting veterans. **REFER FOR INTERIM STUDY.**

Rep. John Bordenet for Commerce and Consumer Affairs. This bill prohibits a business from charging veterans an unreasonable fee for aid or services and makes such conduct a violation of the Consumer Protection Act. While the Commerce Committee has a favorable opinion of this bill, we believe it is not ready to be passed in its present form. We would also like to gather additional material before making this bill law. Vote 13-4.

Reps. Luneau and Williams spoke against.

Rep. Bordenet spoke in favor.

Rep. Hunt spoke in favor and yielded to questions.

On a division vote, with 213 members having voted in the affirmative and 141 in the negative, the committee report was adopted.

**SB 110-FN**, establishing the administrative supervision act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. The primary and fundamental responsibility of the NH Insurance Department is to ensure that NH "domestic" insurance companies are solvent and able to make the payments owed to consumers. Under New Hampshire insurance law, the Insurance Commissioner is the one who rehabilitates or liquidates a financially impaired domestic insurance company. This happens under court supervision. This bill is designed to give the commissioner a tool to address a company in financial peril, which is less interventionist than rehabilitation or liquidation. It is called administrative supervision, and it is based on a model law developed by the National Association of Insurance Commissioners that has been passed, in one form or another, in 30 states. Under current law, the NH Insurance Department regularly audits our domestic companies and if it becomes clear to the department that the insurance company is under distress, the department has the option to put the company under formal rehabilitation or liquidation or to enter into an agreed administrative order under which the company remains in control of its operation but is subject to certain operating restrictions necessary to improve its financial position. The new administrative supervision process, outlined by this bill, allows the Insurance Department to work confidentially with the insurer so as to avoid liquidation or having a judge run the company under court supervised rehabilitation, but only with the insurance company's expressed written agreement. Therefore this statute can only be used if the insurance company chooses to do this. The benefit to the insurance company is that this legislation sets out the ground rules to protect the insurance company's rights by stating the structure in which the Insurance Department implements administrative supervision. This bill establishes standards for what has historically been an ad hoc process. The other benefit to the insurance company is that this process is nonpublic to avoid market disruption. Insurance companies rarely survive court rehabilitation, in part because of the inevitable loss of consumer confidence in the company. In reality, a nonpublic process is sometimes the only way to be successful in improving the company's financial position. Importantly, this law will only be used under limited circumstances and is based on the Insurance Department's determination that the insurance company can make good on its obligations. The amendment, which was a request of the minority, states that the Insurance Department's immunity is limited to actions that are within the scope of its powers and duties under this chapter that are performed in good faith and not in a wanton or reckless manner. Vote 13-6.

**Amendment (1241h)**

Amend RSA 402-L:11 as inserted by section 1 of the bill by replacing it with the following:

402-L:11 Immunity. There shall be no liability on the part of, and no cause of action of any nature shall arise against, the commissioner or the department or their employees, agents, consultants, or counsel for any action taken by them that is within the scope of their powers and duties under this chapter and that is performed in good faith and not in a wanton or reckless manner.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Butler spoke in favor and yielded to questions.

Rep. Ammon spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 211 NAYS 149****YEAS - 211****BELKNAP**

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Vadney, Herbert
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**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Ticehurst, Susan	Umberger, Karen

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

**COOS**

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	

**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Chris	Brown, Rebecca
Cooney, Mary	Ford, Susan	Gionet, Edmond	Hennessey, Martha
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Brown, Pamela
Christensen, Chris	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Flanagan, Jack	Forest, Armand
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Infantine, William	Jack, Martin
Kurk, Neal	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McCarthy, Peggy	McNamara, Richard	O'Brien, Michael
O'Neil, William	Ober, Lynne	Pellegrino, Anthony	Pierce, David
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
French, Harold  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Bradley, Paula  
Frazer, June  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Wheeler, Deborah

Carson, Clyde  
French, Barbara  
Hess, David  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Ferrante, Beverly  
Guthrie, Joseph  
Lovejoy, Patricia  
McMahon, Charles  
Pantelakos, Laura  
Sytek, John

Allen, Mary  
Borden, David  
Chase, Francis  
Devine, James  
Francesse, Paula  
Heffron, Frank  
Matthews, Carolyn  
Milz, David  
Peckham, Michele  
Tilton, Rio

Azarian, Gary  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Friel, William  
Hoelzel, Kathleen  
McBeath, Rebecca  
Moody, Marcia  
Sherman, Thomas  
Ward, Gerald

Belanger, Ronald  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Elliott, Robert  
Gordon, Pamela  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Simpson, Alexis  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Cilley, Jacalyn  
Jones, Laura  
Schmidt, Peter  
Treleaven, Susan

Bickford, David  
Gardner, Janice  
Kaen, Naida  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Gray, James  
Leeman, Don  
Spang, Judith  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

**NAYS - 149****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond  
Russell, David  
Varney, Peter

Dumais, Russell  
Hurt, George  
Spanos, Peter

Fisher, Robert  
LeBreche, Shari  
Sylvia, Michael

Gallagher, Brian  
Luther, Robert  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Parker, Harold

Comeau, Ed  
Wright, Ted

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

McConnell, James

Sterling, Franklin

Tilton, Benjamin

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hull, Robert

Brown, Duane  
Ingretson, Paul

Darrow, Stephen  
Johnson, Eric

Hennessey, Erin  
Piper, Wendy

**HILLSBOROUGH**

Adams, Christopher  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Goulette, William  
Hogan, Edith  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Parison, James  
Sanborn, Laurie  
Smith, Gregory  
Sullivan, Victoria

Ammon, Keith  
Christie, Rick  
Edelblut, Frank  
Gagne, Larry  
Griffin, Barbara  
Hopper, Gary  
Martel, Andre  
Murotake, David  
Ober, Russell  
Peterson, Ken  
Schleien, Eric  
Souza, Kathleen  
Twombly, Timothy

Boehm, Ralph  
Danielson, David  
Edwards, Elizabeth  
Gidge, Kenneth  
Halstead, Carolyn  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Rice, Kimberly  
Scontsas, Lisa  
Stepanek, Stephen  
Ulery, Jordan

Burt, John  
Donovan, Daniel  
Estevez, Eric  
Gould, Linda  
Hansen, Peter  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Rowe, Robert  
Simmons, Tammy  
Straight, Phillip  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Martin, John  
Seaworth, Brian

Deloge, Helen  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

**ROCKINGHAM**

Baldasaro, Alfred  
Chirichiello, Brian  
Duarte, Joe  
Gordon, Richard  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Potucek, John  
Spillane, James  
Tucker, Pamela  
Welch, David

Barnes, Arthur  
Cook, Allen  
Emerick, J. Tracy  
Green, Dennis  
Introne, Robert  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Vose, Michael  
Weyler, Kenneth

Bates, David  
Dean-Bailey, Yvonne  
Fesh, Robert  
Griffin, Mary  
Itse, Daniel  
Nigrello, Robert  
Rice, Frederick  
Tamburello, Daniel  
Ward, Joanne

Bush, Carol  
Doucette, Fred  
Gannon, William  
Harris, Jeffrey  
Kappler, Lawrence  
Osborne, Jason  
Schroadter, Adam  
Thomas, Douglas  
Webb, James

**STRAFFORD**

Cheney, Catherine  
Hannon, Joseph  
Sprague, Dale

DeLemus, Susan  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Graham, Robert  
Mullen, John  
Whitehouse, Joshua

Groen, Warren  
Pitre, Joseph  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas                      Rollins, Skip  
and the committee report was adopted and ordered to third reading.

**(Rep. Chandler in the Chair)****MOTION TO PRINT REMARKS**

Rep. Hoell moved that the remarks made by Rep. Ammon be printed in the Permanent Journal.  
Speaker Jasper spoke against and yielded to questions.  
Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 104    NAYS 255**

**YEAS - 104****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond  
Varney, Peter

Dumais, Russell  
Hurt, George

Fisher, Robert  
Spanos, Peter

Gallagher, Brian  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Ames, Richard	McConnell, James	Robertson, Timothy	Tilton, Benjamin
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**COOS**

Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Abel, Richard	Brown, Chris	Brown, Duane	Darrow, Stephen
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Shackett, Jeffrey			

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Burt, John	Christie, Rick
Coffey, James	Eastman, Eric	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Hopper, Gary	Lachance, Joseph
Manley, Jonathan	Marston, Dick	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	O'Brien, William
Ohm, Bill	Parison, James	Proulx, Mark	Sanborn, Laurie
Schleien, Eric	Scontsas, Lisa	Simmons, Tammy	Souza, Kathleen
Stepanek, Stephen	Zaricki, Nick		

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Martin, John	McGuire, Dan
Parent, Jason	Seaworth, Brian		

**ROCKINGHAM**

Baldasaro, Alfred	Bates, David	Borden, David	Cook, Allen
Duarte, Joe	Elliott, Robert	Gannon, William	Gordon, Richard
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Lundgren, David
Nigrello, Robert	Osborne, Jason	Peckham, Michele	Prudhomme-O'Brien, Katherine
Schroadter, Adam	Spillane, James	Tamburello, Daniel	Thomas, Douglas
Tucker, Pamela	Vose, Michael		

**STRAFFORD**

Bixby, Peter	Cheney, Catherine	DeLemus, Susan	Groen, Warren
Hannon, Joseph	Kaczynski, Jr., Thomas	Turcotte, Leonard	Whitehouse, Joshua

**SULLIVAN**

Irwin, Virginia

**NAYS - 255****BELKNAP**

Fields, Dennis	Flanders, Donald	Fraser, Valerie	LeBreche, Shari
Luther, Robert	Russell, David	Tilton, Franklin	Vadney, Herbert

**CARROLL**

Buco, Thomas	Butler, Edward	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Ticehurst, Susan	Umberger, Karen

**CHESHIRE**

Abbott, Michael	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		



**COOS**

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

**GRAFTON**

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Smith, Suzanne

Bailey, Brad  
Gionet, Edmond  
Massimilla, Linda  
Sykes, George

Brown, Rebecca  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Ladd, Rick  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Belanger, James  
Brown, Pamela  
Cornell, Patricia  
Donovan, Daniel  
Freitas, Mary  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
Kurk, Neal  
Mangipudi, Latha  
Notter, Jeanine  
Ober, Russell  
Pierce, David  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Daniel  
Ulery, Jordan  
Wolf, Terry

Balcom, John  
Biggie, Barbara  
Byron, Frank  
Cote, David  
Edelblut, Frank  
Gagne, Larry  
Griffin, Barbara  
Harvey, Suzanne  
Infantine, William  
LeBrun, Donald  
Martel, Andre  
O'Brien, Michael  
Palmer, Barry  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Sullivan, Victoria  
Vann, Ivy  
Woodbury, David

Baroody, Benjamin  
Boehm, Ralph  
Christensen, Chris  
Danielson, David  
Flanagan, Jack  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
O'Neil, William  
Pellegrino, Anthony  
Rice, Kimberly  
Shattuck, Gilman  
Soucy, Timothy  
Takesian, Charlene  
Walsh, Robert

Beaulieu, Jane  
Booras, Efstathia  
Cohen, Alan  
DiSilvestro, Linda  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Jasper, Shawn  
Long, Patrick  
McNamara, Richard  
Ober, Lynne  
Peterson, Ken  
Rosenwald, Cindy  
Shaw, Barbara  
Straight, Phillip  
Twombly, Timothy  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
Long, Douglas  
McGuire, Carol  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Luneau, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
MacKay, James  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Hess, David  
Kotowski, Frank  
Marple, Richard  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Belanger, Ronald  
Cali-Pitts, Jacqueline  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Gordon, Pamela  
Harris, Jeffrey  
Katsakiores, Phyllis  
McBeath, Rebecca  
Moody, Marcia  
Rice, Frederick  
Sytek, John  
Webb, James

Allen, Mary  
Berrien, Skip  
Cardon, G. Thomas  
Cushing, Robert  
DiFranco, Debbie  
Fesh, Robert  
Green, Dennis  
Heffron, Frank  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Sherman, Thomas  
Tilton, Rio  
Welch, David

Azarian, Gary  
Bush, Carol  
Chase, Francis  
Dean-Bailey, Yvonne  
Doucette, Fred  
Francesse, Paula  
Griffin, Mary  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McMahon, Charles  
Pantelakos, Laura  
Simpson, Alexis  
Ward, Gerald  
Weyler, Kenneth

Barnes, Arthur  
Cahill, Michael  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Friel, William  
Guthrie, Joseph  
Introne, Robert  
Matthews, Carolyn  
Milz, David  
Potucek, John  
Sweeney, Joe  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Baber, William  
 Cilley, Jacalyn  
 Horrigan, Timothy  
 Mullen, John  
 Smith, Marjorie  
 Treleaven, Susan

Berube, Roger  
 Gardner, Janice  
 Jones, Laura  
 Pitre, Joseph  
 Spang, Judith  
 Wall, Janet

Bickford, David  
 Graham, Robert  
 Kaen, Naida  
 Rollo, Deanna  
 Sprague, Dale  
 Ward, Kenneth

Burton, Wayne  
 Gray, James  
 Leeman, Don  
 Schmidt, Peter  
 Stevens, Audrey  
 Wuelper, Kurt

**SULLIVAN**

Cloutier, John  
 Grenier, James  
 Schmidt, Andrew

Converse, Larry  
 Laware, Thomas  
 Smith, Steven

Gagnon, Raymond  
 Oxenham, Lee

Gottling, Suzanne  
 Rollins, Skip

and the motion failed.

**MOTION TO SPECIAL ORDER**

Rep. Steven Smith moved that **HB 504**, relative to online driver education, be made a Special Order as the first order of business after the lunch recess.

Rep. Steven Smith spoke in favor.

Motion adopted.

**MOTION TO SPECIAL ORDER**

Rep. Introne moved that **HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors, be made a Special Order as the second order of business after the lunch recess.

Rep. Introne spoke in favor.

Motion adopted.

The House recessed at 12:05 p.m.

**RECESS**

The House reconvened at 1:15 p.m.

**(Speaker Jasper in the Chair)**

**MOTION TO SPECIAL ORDER**

Rep. Oligny moved that **HB 405-FN**, requiring the department of health and human services to license supervised visitation centers, be made a Special Order as the last order of business of the day.

Rep. Oligny spoke in favor.

Motion adopted.

**REGULAR CALENDAR CONT'D****SPECIAL ORDER**

**HB 504**, relative to online driver education. **INEXPEDIENT TO LEGISLATE.**

Rep. George Sykes for Transportation. HB 504 sought to allow an on-line instructional module, approved by the Department of Safety, to be one method for a person to successfully complete the requirements for classroom instruction found in RSA 263:19, I. Discussion brought up questions of effectiveness, effect on existing driver's education businesses, and if a mix of on-line and in class instruction was the best method, with no clear answers at this time. Vote 10-7.

Rep. Gagne spoke against.

Reps. Sykes and Thomas Walsh spoke in favor and yielded to questions.

Rep. Sad spoke against and yielded to questions.

Rep. Spillane requested a roll call; sufficiently seconded.

**YEAS 111 NAYS 242**

**YEAS - 111**

**BELKNAP**

Dumais, Russell

LeBreche, Shari

Luther, Robert

Russell, David

**CARROLL**

Buco, Thomas  
Nelson, Bill

Chandler, Gene  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

McConkey, Mark  
Wright, Ted

**CHESHIRE**

Abbott, Michael  
Ley, Douglas  
Tatro, Bruce

Ames, Richard  
Parkhurst, Henry

Berch, Paul  
Phillips, Larry

Hunt, John  
Sterling, Franklin

**COOS**

Richardson, Herbert

Theberge, Robert

Tholl, John

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Sykes, George

Bailey, Brad  
Hennessey, Martha

Brown, Duane  
Ladd, Rick

Ford, Susan  
Massimilla, Linda

**HILLSBOROUGH**

Backus, Robert  
Cornell, Patricia  
Forest, Armand  
Hinch, Richard  
Mangipudi, Latha  
Palmer, Barry  
Rowe, Robert  
Soucy, Timothy

Balcom, John  
Cote, David  
Gargas, Carolyn  
Infantine, William  
O'Brien, Michael  
Proulx, Mark  
Scotsas, Lisa  
Souza, Kathleen

Baroody, Benjamin  
DiSilvestro, Linda  
Gorman, Mary  
Kurk, Neal  
O'Neil, William  
Rice, Kimberly  
Shattuck, Gilman  
Vann, Ivy

Beaulieu, Jane  
Flanagan, Jack  
Hansberry, Daniel  
Long, Patrick  
Ober, Lynne  
Rosenwald, Cindy  
Shaw, Barbara  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Hess, David  
Patten, Dick  
Wallner, Mary Jane

Frazer, June  
Kotowski, Frank  
Rogers, Katherine  
Walsh, Thomas

Gile, Mary  
Long, Douglas  
Schuett, Dianne  
Wheeler, Deborah

Henle, Paul  
Moffett, Howard  
Shurtleff, Stephen

**ROCKINGHAM**

Abrami, Patrick  
Doucette, Fred  
Gordon, Richard  
Introne, Robert  
Rice, Frederick

Allen, Mary  
Elliott, Robert  
Heffron, Frank  
Lovejoy, Patricia  
Sytek, John

Dean-Bailey, Yvonne  
Fesh, Robert  
Hodgdon, Bruce  
Matthews, Carolyn  
Woitkun, Steven

Devine, James  
Gannon, William  
Hoelzel, Kathleen  
Moody, Marcia

**STRAFFORD**

Berube, Roger  
Rollo, Deanna  
Ward, Kenneth

Burton, Wayne  
Schmidt, Peter

Gardner, Janice  
Sprague, Dale

Horrigan, Timothy  
Wall, Janet

**SULLIVAN**

Grenier, James

Oxenham, Lee

Rollins, Skip

**NAYS - 242****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter  
Varney, Peter

Fields, Dennis  
Gallagher, Brian  
Sylvia, Michael

Fisher, Robert  
Howard, Jr., Raymond  
Tilton, Franklin

Flanders, Donald  
Hurt, George  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Butler, Edward

Comeau, Ed

Cordelli, Glenn

**CHESHIRE**

Bordenet, John  
McConnell, James  
Sad, Tara

Eaton, Daniel  
Pearson, William  
Shepardson, Marjorie

Johnsen, Gladys  
Roberts, Kris  
Tilton, Benjamin

Mann, John  
Robertson, Timothy  
Weber, Lucy

**COOS**

Fothergill, John  
Rideout, Leon

Froburg, Alethea  
Thomas, Yvonne

Moynihan, Wayne

Rappaport, Laurence

**GRAFTON**

Almy, Susan  
Darrow, Stephen  
Johnson, Eric  
Shackett, Jeffrey

Brown, Chris  
Gionet, Edmond  
Maes, Kevin  
Smith, Suzanne

Brown, Rebecca  
Hull, Robert  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Ingbretson, Paul  
Piper, Wendy

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Byron, Frank  
Cohen, Alan  
Edelblut, Frank  
Freitas, Mary  
Goulette, William  
Hansen, Peter  
Hogan, Edith  
LeBrun, Donald  
McCarthy, Peggy  
Moore, Josh  
O'Brien, William  
Pellegrino, Anthony  
Roberts, Carol  
Simmons, Tammy  
Straight, Phillip  
Ulery, Jordan  
Zaricki, Nick

Ammon, Keith  
Booras, Elstathia  
Christensen, Chris  
Danielson, David  
Edwards, Elizabeth  
Gagne, Larry  
Griffin, Barbara  
Harvey, Suzanne  
Hopper, Gary  
Leishman, Peter  
McClarren, Donald  
Murotake, David  
Ober, Russell  
Peterson, Ken  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Victoria  
Walsh, Robert

Belanger, James  
Brown, Pamela  
Christie, Rick  
Donovan, Daniel  
Estevez, Eric  
Gidge, Kenneth  
Haefner, Robert  
Heath, Mary  
Jack, Martin  
Manley, Jonathan  
McLean, Mark  
Murphy, Keith  
Ohm, Bill  
Pierce, David  
Sanborn, Laurie  
Snow, Kendall  
Takesian, Charlene  
Williams, Kermit

Biggie, Barbara  
Burt, John  
Coffey, James  
Eastman, Eric  
Ferreira, Elizabeth  
Gould, Linda  
Halstead, Carolyn  
Herbert, Christopher  
Lachance, Joseph  
Marston, Dick  
McNamara, Richard  
Notter, Jeanine  
Parison, James  
Porter, Marjorie  
Schleien, Eric  
Stepanek, Stephen  
Twombly, Timothy  
Wolf, Terry

**MERRIMACK**

Bartlett, Christy  
Deloge, Helen  
French, Harold  
Karrick, David  
MacKay, James  
McGuire, Dan  
Rice, Chip

Bradley, Paula  
Doherty, David  
Hill, Gregory  
Kidder, David  
Marple, Richard  
Myler, Mel  
Saundersen, George

Brewster, Michael  
Ebel, Karen  
Hoell, J.R.  
Kuch, Bill  
Martin, John  
Parent, Jason  
Seaworth, Brian

Carson, Clyde  
French, Barbara  
Horn, Werner  
Luneau, David  
McGuire, Carol  
Ratzki, Mario  
Turcotte, Alan

**ROCKINGHAM**

Azarian, Gary  
Belanger, Ronald  
Cahill, Michael  
Chirichiello, Brian  
DiFranco, Debbie  
Francese, Paula  
Griffin, Mary  
Kappler, Lawrence  
McBeath, Rebecca  
Nigrello, Robert  
Pantelakos, Laura  
Schroadter, Adam

Baldasaro, Alfred  
Berrien, Skip  
Cali-Pitts, Jacqueline  
Cook, Allen  
Duarte, Joe  
Friel, William  
Guthrie, Joseph  
Katsakiores, Phyllis  
McKinney, Betsy  
O'Connor, John  
Peckham, Michele  
Sherman, Thomas

Barnes, Arthur  
Borden, David  
Cardon, G. Thomas  
Cushing, Robert  
Emerick, J. Tracy  
Gordon, Pamela  
Harris, Jeffrey  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Potucek, John  
Simpson, Alexis

Bates, David  
Bush, Carol  
Chase, Francis  
DeSimone, Debra  
Ferrante, Beverly  
Green, Dennis  
Itse, Daniel  
Lundgren, David  
Milz, David  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Spillane, James

Sweeney, Joe  
Tucker, Pamela  
Webb, James

Tamburello, Daniel  
Vose, Michael  
Welch, David

Thomas, Douglas  
Ward, Gerald  
Weyler, Kenneth

Tilton, Rio  
Ward, Joanne

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Groen, Warren  
Kaen, Naida  
Smith, Marjorie  
Turcotte, Leonard

Bickford, David  
DeLemus, Susan  
Hannon, Joseph  
Leeman, Don  
Spang, Judith  
Whitehouse, Joshua

Bixby, Peter  
Graham, Robert  
Jones, Laura  
Mullen, John  
Stevens, Audrey  
Wuelper, Kurt

Cheney, Catherine  
Gray, James  
Kaczynski, Jr., Thomas  
Pitre, Joseph  
Treleven, Susan

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

and the committee report failed.

Rep. DeSimone voted Nay and intended to vote Yea.

Rep. Sad moved Ought to Pass.

Motion adopted and ordered to third reading.

### SPECIAL ORDER

**HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. This bill sought to establish energy infrastructure corridors along existing transportation rights-of-way, particularly Interstate's 89/93/95 and Rte. 101. NHDOT testified that infrastructure developers could request the siting of transmission lines on this land today. Department spokespersons further testified that these highway corridors did not always offer disturbed soil as proponents advocated. This bill was patterned off similar legislation in Maine, but added underground burial as a preference, where Maine's law never mentioned underground installation. The bill would have required a utility to move, at its own expense, any buried line should the highway itself be moved. No developer/utility showed up to support this bill. Vote 11-9.

Rep. Howard Moffett for the Minority of Science, Technology and Energy. This bill sets in place a process by which the Site Evaluation Committee in conjunction with the Department of Transportation can approve energy infrastructure development in established infrastructure corridors including Interstates 93, 91, and 95, and Route 101 between Manchester and Interstate 95. Project developers will have the option to apply to use these energy infrastructure corridors for all or part of any energy transmission project. These corridors along, within, and under major state-owned transportation routes can offer project developers an option for siting energy infrastructure projects, and can provide the state with revenue from the leasing of the corridors. Knowing that the current designated corridors are limited, the bill also sets up a commission to study the establishment of additional energy infrastructure corridors in the state.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Suzanne Smith spoke against and yielded to questions.

Reps. Vadney and Richardson spoke in favor and yielded to questions.

Rep. Moffett spoke against.

Rep. Danielson requested a roll call; not sufficiently seconded.

On a division vote, with 165 members having voted in the affirmative and 187 in the negative, the majority committee report failed.

Rep. Moffett moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (2326h).

### Minority Amendment (2326h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. The legislature recognizes that high and volatile energy costs increasingly threaten the competitiveness of New Hampshire's businesses and industries and the financial resources

of its electric ratepayers, and that new low-cost sources of energy are needed in order to stabilize and lower wholesale and retail electric rates in New Hampshire and New England. At the same time, as the state's citizens have become more aware of the value, to themselves and others, of New Hampshire's scenic natural landscapes, clean air, and unspoiled environment, it has become increasingly difficult to site and develop large-scale above-ground energy transmission lines from lower-cost neighboring regions. Such projects often face unacceptably high development costs, regulatory delays, and public opposition resulting from their potential adverse impacts on the state's most scenic natural landscapes, the value of adjoining and nearby private properties, and the comfort, health, and safety of adjacent homeowners. The general court therefore finds that it is in the public interest for the state to designate certain "energy infrastructure corridors" along, within, and under major state-owned transportation routes, for the underground collocation of major energy transmission lines necessary to promote balanced economic growth, reduce or mitigate high energy prices, and contribute to a cleaner and more natural environment, while providing the state highway fund with market-based revenues from private energy transmission companies in return for the use of such designated energy infrastructure corridors.

2 New Chapter; Energy Infrastructure Development and Corridors. Amend RSA by inserting after chapter 162-Q the following new chapter:

## CHAPTER 162-R ENERGY INFRASTRUCTURE DEVELOPMENT AND CORRIDORS

### 162-R:1 Definitions.

I. "Energy infrastructure" includes high voltage DC or AC electric transmission facilities of 115 kV or greater, natural gas transmission lines, carbon dioxide pipelines, petroleum pipelines, and other energy transport pipelines or conduits.

II. "Energy infrastructure corridor" means an existing state-owned transportation right-of-way within which energy infrastructure could potentially be sited underground.

III. "Developer" means a person or legal entity that can demonstrate to the state the financial, technical, and managerial capability to engage in the development and construction of energy infrastructure.

IV. "Project" means the development or construction of energy infrastructure subject to site evaluation committee jurisdiction under RSA 162-H within an energy infrastructure corridor.

V. "Site evaluation committee" means the site evaluation committee established in RSA 162-H:3.

VI. "State-owned transportation right-of-way" means a highway or railroad right-of-way on land owned in fee by the state or a state agency or state authority.

VII. "Sufferance" means that the owner of energy infrastructure has no real property interest in the right-of-way, but merely occupies and uses the public right-of-way subject to terms and conditions established by the New Hampshire department of transportation.

### 162-R:2 Energy Infrastructure Corridors Designated.

I. In accordance with RSA 236:18, the state has the exclusive rights, insofar as they do not conflict with any federal statute, rule, or regulation, to build, lease, or utilize for any public purpose the space adjacent to (excluding the median) and below the toll highways and the interstate system highways within the state.

II. The following areas, owned by the state, are designated as energy infrastructure corridors:

(a) I-89 (between the intersection of I-93 and the Vermont border).

(b) I-93 (between the Massachusetts border and the Vermont border, excepting approximately 1.7 miles located in the White Mountain National Forest north of Franconia Notch state park).

(c) I-95 (between the Massachusetts border and the Maine border).

(d) NH Route 101 (between the intersection of I-93 and the intersection of I-95).

III. Nothing in this chapter shall require a developer of energy infrastructure to site or propose to site an energy infrastructure project, or any part thereof, within an energy infrastructure corridor designated under this chapter.

### 162-R:3 Energy Infrastructure Proposal Application Process.

I.(a) To initiate the application process, a developer shall file with the department of transportation, a request for a preliminary conceptual feasibility study, including such project-specific information as the department may specify in accordance with the department's Utility Accommodation Manual.

(b) The developer shall be responsible for all reasonable costs incurred by the department in the preparation of such conceptual feasibility study, including reimbursement for the time of department employees and contractors and all reasonable expenses.

(c) Within 30 days after such study request is filed, the department shall provide written notice to the developer, with a copy to the site evaluation committee, either accepting such study request as sufficiently complete to allow the department to evaluate the conceptual feasibility of the proposal and submit its recommendation to the committee, or specifying the additional information needed to complete its evaluation. The notice shall include an estimate of the department's costs to complete the requested conceptual feasibility study.

(d) Upon notice to the developer that the study request is deemed sufficiently complete for its purposes under subparagraph (a), and payment by the developer of 1/2 of the estimated cost of the study to the department, the department shall have 60 days to determine whether and to what extent the proposed project route would be conceptually feasible within the applicable state-owned transportation right-of-way or rights-of-way, based on department standards and regulations.

(e) Within 60 days after notice to the developer that its submission has been deemed complete, the department shall submit its report on the conceptual feasibility of the project to the developer and the site evaluation committee, specifying any concerns or issues it believes the committee should consider in its review of the application, and shall invoice the developer for the balance of the actual costs of the conceptual feasibility study, as determined by the department.

II.(a) The site evaluation committee shall take no action on an application to develop and construct energy infrastructure within an energy infrastructure corridor unless and until it and the developer have received a report from the department of transportation indicating whether and to what extent the proposed project is conceptually feasible within the proposed transportation right-of-way or rights-of-way, and specifying any concerns or issues the department believes the committee should consider.

(b) Upon receipt of a report from the department indicating that the proposed project is conceptually feasible within the applicable transportation right-of-way or rights-of-way, in whole or in part, and that the department has received from the developer payment in full for the actual cost of the department's completed feasibility study, the developer may file an application for the project with the site evaluation committee.

(c) The committee shall determine whether the application is complete, and shall proceed to review a completed application under RSA 162-H.

#### 162-R:4 Energy Infrastructure Proposal; Decision Criteria.

I. The site evaluation committee shall evaluate and render a decision on an energy infrastructure proposal under RSA 162-H, giving preference wherever practicable to proposed routing within energy infrastructure corridors.

II. The site evaluation committee may approve an energy infrastructure proposal for a project to be sited in whole or in part within one or more energy infrastructure corridors only if it finds that the project meets the criteria set forth in RSA 162-H:16, IV(a)-(e), including the public interest standard set forth therein.

III. In determining whether an energy infrastructure project proposed to be sited within an energy infrastructure corridor is in the public interest, the committee shall, at a minimum, consider the extent to which the proposal:

(a) Materially enhances or at least does not harm transmission opportunities for energy generation facilities located within the state;

(b) Provides economic benefits for the state, including but not limited to direct financial benefits, employment opportunities, and the potential for economic development;

(c) Provides for efficient use of designated energy infrastructure corridors through collocation of energy infrastructure, collaboration between energy infrastructure developers, and the preservation of options for future uses;

(d) Minimizes conflicts with the public purposes for which the state-owned land or asset is or is likely to be used and any management plans for the land or asset within the corridor, and, when necessary, mitigates unavoidable impacts;

(e) Limits and mitigates the effects of energy infrastructure on the landscape, using underground installation;

(f) Increases the energy reliability, security, and independence of the state; and

(g) Contributes to the potential reduction of greenhouse gases, compared to alternative fossil-fueled energy sources.

162-R:5 Use of Energy Infrastructure Corridors; Requirements. Development and construction of energy infrastructure within an energy infrastructure corridor are governed by this section. No person shall engage in development or construction of energy infrastructure within an energy infrastructure corridor, unless such person is in compliance with applicable state and federal laws, rules, and regulations. Any development, construction, maintenance or use of energy infrastructure within an energy infrastructure corridor shall be at the sufferance of the department of transportation. All costs associated with installation, alteration, relocation (whether or not required by the department), and/or protection of energy infrastructure within an energy infrastructure corridor shall be the responsibility of the energy infrastructure developer or owner.

#### 162-R:6 Revenues.

I. The department of transportation, right-of-way (ROW) appraisal bureau section, shall identify an initial estimate of the range of value for the use of state-owned land or assets within a designated energy infrastructure corridor. The actual and final value shall be established by the long range capital planning and utilization committee.

II. All revenues generated from the use of state-owned land or assets within energy infrastructure corridors designated under this chapter shall be deposited in the highway fund for use solely in state transportation programs funded in whole or in part by the Federal Highway Administration or other federal agencies and included in the state's 10-year transportation plan. Nothing in this section shall be deemed to affect the responsibility of a developer to pay separately to the site evaluation committee the fees required under RSA 162-H.

#### 162-R:7 Commission to Study the Designation of Additional Energy Infrastructure Corridors.

I. There is established a commission to study and recommend a process for the designation of energy infrastructure corridors in addition to the statutory corridors designated in this chapter. Among other questions, the commission shall consider the practicability, and the potential means, if any, of designating energy infrastructure corridors along highway or railroad rights-of-way used by the state for highway or other transportation purposes, although not owned by the state.

II. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

(c) The commissioner of the department of transportation, or designee.

(d) The director of the office of energy and planning, or designee.

(e) The chairman of the site evaluation committee, or designee.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Five members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

3 Repeal. RSA 162-R:7, relative to the commission to study energy infrastructure corridors, is repealed.

#### 4 Effective Date.

I. RSA 162-R:7, as inserted by section 2 of this act, shall take effect upon its passage.

II. Section 3 of this act shall take effect November 1, 2016.

III. The remainder of this act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill establishes procedures for approval of proposals for energy infrastructure development and designates energy infrastructure corridors. The bill also establishes a commission to study the designation of additional energy infrastructure corridors.

On a division vote, with 225 members having voted in the affirmative and 127 in the negative, the minority committee amendment was adopted.

The question now being adoption of the minority committee report of Ought to Pass with Amendment.



**MOTION TO LAY ON THE TABLE**

Rep. Flanagan moved that **HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors, be laid on the table.

Rep. Richardson requested a roll call; sufficiently seconded.

**YEAS 116    NAYS 241**

**YEAS - 116****BELKNAP**

Aldrich, Glen  
LeBreche, Shari  
Sylvia, Michael

Fraser, Valerie  
Luther, Robert  
Tilton, Franklin

Gallagher, Brian  
Russell, David  
Vadney, Herbert

Howard, Jr., Raymond  
Spanos, Peter

**CARROLL**

Comeau, Ed

**CHESHIRE**

Chase, Cynthia  
McConnell, James

Eaton, Daniel

Hunt, John

Ley, Douglas

**COOS**

Richardson, Herbert

**GRAFTON**

Gionet, Edmond

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
DiSilvestro, Linda  
Goulette, William  
Hansen, Peter  
Long, Patrick  
Murotake, David  
O'Neil, William  
Pellegrino, Anthony  
Scotsas, Lisa  
Stepanek, Stephen  
Wolf, Terry

Backus, Robert  
Boehm, Ralph  
Estevez, Eric  
Griffin, Barbara  
Hopper, Gary  
McCarthy, Peggy  
Notter, Jeanine  
Ober, Lynne  
Rosenwald, Cindy  
Smith, Gregory  
Straight, Phillip

Balcom, John  
Burt, John  
Flanagan, Jack  
Guerette, C. Lee  
Infantine, William  
McLean, Mark  
O'Brien, Michael  
Ober, Russell  
Rouillard, Claire  
Soucy, Timothy  
Sullivan, Daniel

Baroody, Benjamin  
Danielson, David  
Gould, Linda  
Halstead, Carolyn  
LeBrun, Donald  
Moore, Josh  
O'Brien, William  
Ohm, Bill  
Rowe, Robert  
Souza, Kathleen  
Williams, Kermit

**MERRIMACK**

Brewster, Michael  
Long, Douglas  
McGuire, Dan

French, Harold  
Marple, Richard  
Parent, Jason

Horn, Werner  
Martin, John  
Rogers, Katherine

Kuch, Bill  
McGuire, Carol  
Turcotte, Alan

**ROCKINGHAM**

Allen, Mary  
Chirichiello, Brian  
Ferrante, Beverly  
Harris, Jeffrey  
Kappler, Lawrence  
Osborne, Jason  
Thomas, Douglas

Barnes, Arthur  
Cushing, Robert  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
Pantelakos, Laura  
Vose, Michael

Bates, David  
Elliott, Robert  
Gordon, Richard  
Introne, Robert  
McKinney, Betsy  
Prudhomme-O'Brien, Katherine  
Ward, Joanne

Cali-Pitts, Jacqueline  
Emerick, J. Tracy  
Green, Dennis  
Itse, Daniel  
McMahon, Charles  
Schroadter, Adam  
Webb, James

**STRAFFORD**

Cilley, Jacalyn  
Groen, Warren  
Sprague, Dale

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard

Graham, Robert  
Jones, Laura  
Whitehouse, Joshua

Gray, James  
Rollo, Deanna  
Wuelper, Kurt

**NAYS - 241****BELKNAP**

Dumais, Russell  
Hurt, George

Fields, Dennis  
Varney, Peter

Fisher, Robert

Flanders, Donald

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Nelson, Bill  
Wright, Ted

Buco, Thomas  
Crawford, Karel  
Parker, Harold

Butler, Edward  
McCarthy, Frank  
Ticehurst, Susan

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Berch, Paul  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

**COOS**

Fothergill, John  
Rideout, Leon

Froburg, Alethea  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Rappaport, Laurence  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Brown, Duane  
Ford, Susan  
Ingbretson, Paul  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Brown, Rebecca  
Hennessey, Erin  
Johnson, Eric  
Nordgren, Sharon  
Sykes, George

Bailey, Brad  
Cooney, Mary  
Hennessey, Martha  
Ladd, Rick  
Piper, Wendy  
Townsend, Charles

Brown, Chris  
Darrow, Stephen  
Hull, Robert  
Maes, Kevin  
Shackett, Jeffrey

**HILLSBOROUGH**

Ammon, Keith  
Brown, Pamela  
Coffey, James  
Donovan, Daniel  
Ferreira, Elizabeth  
Gargas, Carolyn  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Manley, Jonathan  
Murphy, Keith  
Pierce, David  
Roberts, Carol  
Shaw, Barbara  
Takesian, Charlene  
Walsh, Robert

Beaulieu, Jane  
Byron, Frank  
Cohen, Alan  
Eastman, Eric  
Forest, Armand  
Gidge, Kenneth  
Hansberry, Daniel  
Hinch, Richard  
Lachance, Joseph  
Marston, Dick  
Palmer, Barry  
Porter, Marjorie  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, Timothy  
Woodbury, David

Belanger, James  
Christensen, Chris  
Cornell, Patricia  
Edelblut, Frank  
Freitas, Mary  
Gonzalez, Carlos  
Harvey, Suzanne  
Hogan, Edith  
Leishman, Peter  
McClarren, Donald  
Parison, James  
Proulx, Mark  
Schleien, Eric  
Snow, Kendall  
Ulery, Jordan  
Zaricki, Nick

Booras, Efstathia  
Christie, Rick  
Cote, David  
Edwards, Elizabeth  
Gagne, Larry  
Gorman, Mary  
Heath, Mary  
Jack, Martin  
Mangipudi, Latha  
McNamara, Richard  
Peterson, Ken  
Rice, Kimberly  
Shattuck, Gilman  
Sullivan, Victoria  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Hill, Gregory  
Kotowski, Frank  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Hoell, J.R.  
Luneau, David  
Patten, Dick  
Schuett, Dianne  
Walsh, Thomas

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Seaworth, Brian  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

**ROCKINGHAM**

Abrami, Patrick	Azarian, Gary	Baldasaro, Alfred	Belanger, Ronald
Berrien, Skip	Borden, David	Bush, Carol	Cahill, Michael
Cardon, G. Thomas	Chase, Francis	Christie, Andrew	Cook, Allen
Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James	DiFranco, Debbie
Doucette, Fred	Duarte, Joe	Fesh, Robert	Francesse, Paula
Friel, William	Gordon, Pamela	Griffin, Mary	Guthrie, Joseph
Heffron, Frank	Hoelzel, Kathleen	Katsakiores, Phyllis	Lovejoy, Patricia
Lundgren, David	Matthews, Carolyn	McBeath, Rebecca	Milz, David
Moody, Marcia	Nigrello, Robert	O'Connor, John	Oligny, Jeffrey
Peckham, Michele	Potucek, John	Rice, Frederick	Sherman, Thomas
Simpson, Alexis	Spillane, James	Sweeney, Joe	Sytek, John
Tilton, Rio	Tucker, Pamela	Ward, Gerald	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Gardner, Janice	Horrigan, Timothy	Kaczynski, Jr., Thomas
Kaen, Naida	Leeman, Don	Mullen, John	Pitre, Joseph
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Stevens, Audrey
Treleaven, Susan	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

and the motion failed.

The question now being adoption of the minority committee report of Ought to Pass with Amendment. Minority committee report adopted and referred to the Committee on Finance.

**REGULAR CALENDAR CONT'D**

**SB 155-FN-A**, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. **OUGHT TO PASS WITH AMENDMENT.** Rep. Kenneth Gidge for Commerce and Consumer Affairs. This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. The committee as a whole had several work sessions, where there were a lot of discussions of the disclosures of errors in judgment, and the perceived attempts to hide those errors. The committee amendment will set up a fund whereby donations can be accumulated for the victims of the FRM scandal and the bankruptcy. Since state funds are limited, there is no appropriation in this amendment. The committee has some hope that there are investment advisors who could see this as an opportunity to present their reputations and experience not only to the FRM investors, but also to the general public. By creating this fund, under the authority of an agent chosen by a legislative committee, the committee believes that there will be sponsored activity that will bring donations to this monitored fund. Vote 16-3.

**Amendment (2504h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose.

I. The general court hereby finds that there has been documented evidence that certain state agencies made mistakes knowingly or unknowingly that resulted in the continuation of the Financial Resources Mortgage(FRM) fraud causing financial harm to many victims.

II. Therefore, the general court hereby establishes the FRM victims' contribution recovery fund to receive contributions to provide restitution assistance for victims of the FRM fraud.

2 New Chapter; FRM Victims' Contribution Recovery Fund. Amend RSA by inserting after chapter 359-O the following new chapter:

## CHAPTER 359-P

### FRM VICTIMS' CONTRIBUTION RECOVERY FUND

359-P:1 Definitions. In this chapter:

I. "Claimant" means a person who is a victim of the Financial Resources Mortgage fraud and who has filed a complete application for recovery assistance under this chapter.

II. "Committee" means the FRM victims' contribution recovery fund committee established in RSA 359-P:4.

III. "Financial Resources Mortgage" means Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities, and any entities established by, through, or with Scott Farah or Donald Dodge, through which moneys of Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities passed.

IV. "Financial Resources Mortgage fraud" means fraudulent acts committed by Financial Resources Mortgage or its principals where loans brokered by or serviced by Financial Resources Mortgage.

V. "Fund" means the FRM victims' contribution recovery fund established in RSA 359-P:2.

VI. "Person" means an individual, corporation, partnership, association, joint stock company, unincorporated organization, or any other entity.

VII. "Qualifying claimant" means a person who suffered financial losses as a result of the Financial Resources Mortgage fraud and is a claimant eligible for recovery assistance under this chapter. Qualifying claimant shall not include a borrower under any loan transaction borrowed or serviced by Financial Resources Mortgage.

VIII. "Recovery assistance" means payments from the fund to persons who suffered financial losses as a result of the Financial Resources Mortgage fraud.

IX. "Victim" means a person who suffered monetary injury as a result of the Financial Resources Mortgage fraud.

359-P:2 FRM Victims' Contribution Recovery Fund Established.

I. There is hereby established the FRM victims' contribution recovery fund. The fund shall be nonlapsing and continually appropriated to the committee. The fund shall be capped at \$10,000,000 and shall consist of state, public, and private sector gifts and contributions of any kind.

II. The fund shall be used for awarding recovery assistance pursuant to this chapter.

III. The total amount in the fund less costs of administration shall be distributed on a pro rata basis to qualifying claimants annually on December 31 until all such claims are satisfied.

359-P:3 Eligibility for Recovery Assistance.

I. Except as otherwise provided in this chapter, a claimant shall be eligible for recovery assistance at the rate of 50 cents on each dollar lost by the claimant under this chapter if the claimant:

(a) Submits all supplemental documents as requested by the committee.

(b) Can demonstrate loss, to the committee's satisfaction, due to the Financial Resources Mortgage fraud.

(c) Meets all other requirements of this chapter, as determined by the committee.

II. In addition to a qualifying claimant and except as otherwise provided in this chapter, a surviving spouse or surviving child of a qualifying claimant shall be eligible for recovery assistance under this chapter.

359-P:4 Committee Established.

I. There is established the FRM victims' contribution recovery fund committee. The committee shall consist of the following members:

(a) Two members of the house commerce and consumer affairs committee and 2 members of the house finance committee, appointed by the speaker of the house of representatives.

(b) Two members of the senate commerce committee and 2 members of the senate finance committee, appointed by the president of the senate.

II. The first meeting of the committee shall be held within 45 days of the effective date of this section and shall be called by the first-named house member. The committee chairperson shall be chosen from among the members.

III. The committee shall hire/appoint a private attorney or administrator to collect gifts and contributions, review applications for assistance submitted pursuant to this chapter, and make awards of assistance in accordance with the procedures of this chapter. The committee shall negotiate the attorney's or administrator's compensation which shall be no more than 10 percent of the privately contributed funds.

IV. In the event of a tie vote on any matter, the chairperson's vote shall break the tie.

V. The attorney or administrator shall make quarterly reports to the committee, beginning on November 1, 2015, which shall include all transactions made from the fund. The committee shall make semi-annual reports, beginning on December 15, relative to its work to the governor, the president of the senate, and the speaker of the house of representatives.

#### 359-P:5 Recovery Assistance.

I. A victim eligible for recovery assistance under RSA 359-P:3 may file an application for recovery assistance with the committee on the following form:

Financial Resources Mortgage, Inc and CL&M, Inc. Victims Indemnification Application

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

E-mail \_\_\_\_\_

Social Security No \_\_\_\_\_

I.) Proof of Claim Federal Bankruptcy Court Case 09-14565-JMD and 09-14566-JMD date filed \_\_\_\_\_

#### Loans or Mortgages claimed (copy attached)

1. _____	Amount \$ _____
2. _____	Amount \$ _____
3. _____	Amount \$ _____
4. _____	Amount \$ _____
5. _____	Amount \$ _____
6. _____	Amount \$ _____
7. _____	Amount \$ _____
8. _____	Amount \$ _____
9. _____	Amount \$ _____
10. _____	Amount \$ _____
Total Proof of Claim	Amount \$ _____

II.) Were you a defendant in case no. 09-1184-JMD? Yes No

Were you dismissed from the case? Yes No

III.) Did you settle with the Trustee? Yes No

Did you make a payment to the Trustee for the benefit of the bankruptcy estates to settle with the Trustee? Yes No

Amount \$ \_\_\_\_\_

IV.) List any additional payments to the trustee as a result of any mortgage foreclosed, sold, or repaid as a condition of your settlement. Example: Agreed to split proceeds 80/20 with Trustee.

1. _____	Amount \$ _____
2. _____	Amount \$ _____
3. _____	Amount \$ _____
4. _____	Amount \$ _____
5. _____	Amount \$ _____
Post settlement payments to Trustee	Amount \$ _____

V.) Did you retain 100% ownership of any mortgages as a result of settlement? Yes (list below) No

1. _____	Amount \$ _____
2. _____	Amount \$ _____
3. _____	Amount \$ _____
4. _____	Amount \$ _____
5. _____	Amount \$ _____

Total Retained 100% ownership \$ \_\_\_\_\_

VI.) List any payment from the Trustee on any mortgage he or she foreclosed on, sold, or received repayment of principle and from which proceeds were agreed to be split with you as a result of settlement.

1. _____	Amount \$ _____
2. _____	Amount \$ _____
3. _____	Amount \$ _____
4. _____	Amount \$ _____
5. _____	Amount \$ _____

Total Split Proceeds received from Trustee post settlement \$ \_\_\_\_\_

VII.) Final Distribution of Bankruptcy Estate by Trustee received by you \$ \_\_\_\_\_  
VIII.) Total Interest received from FRM or CL&M January 2006  
through November 2009 \$ \_\_\_\_\_  
(attach form 1040 and Schedule B, Interest and Dividends, for 2006-2009)  
Calculate Loss:

- |    |                                                       |          |
|----|-------------------------------------------------------|----------|
| A. | Total Section I. Proof of Claim                       | \$ _____ |
|    | Total Section III. Settlement Payment                 | \$ _____ |
|    | Total Section IV. Proceed split payment to Trustee    | \$ _____ |
|    | Total A.                                              | \$ _____ |
| B. | Total Section V. 00% Retained Mortgage                | \$ _____ |
|    | Total Section VI. Proceed Split receipt from Trustee  | \$ _____ |
|    | Total Section VII. Final Distribution from Trustee    | \$ _____ |
|    | Total Section VIII. Interest Received                 | \$ _____ |
|    | Total of any other awards not otherwise accounted for | \$ _____ |
|    | Total B.                                              | \$ _____ |
| C. | Total A minus Total B.                                |          |
|    | Allowable Loss                                        | \$ _____ |

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signed under penalty of perjury

For administration purposes only

Grand Total All Losses submitted \$ \_\_\_\_\_

(name) \_\_\_\_\_ allowable loss submitted \$ \_\_\_\_\_

Percent of Grand Total submitted \_\_\_\_\_ %

II. The complete application shall be received not more than 180 days after the effective date of this section. An extension of time may be granted for good cause shown by the claimant. However, an application that is received more than 270 days after the effective date of this section shall not be accepted. The attorney or administrator shall send a notice regarding the process for recovery under this chapter to the last known address of potential claimants.

III. All applications filed in compliance with this chapter shall be accepted. Processing of an application shall begin upon receipt of a complete application. All applications shall be reviewed by the attorney or administrator to ensure that the applications are complete. If an application is not complete, it shall be returned to the claimant with a brief statement of the additional information required. The application shall be denied if the applicant does not furnish additional information or additional time is not granted for good cause.

IV. The attorney or administrator shall determine the amount of loss of original investments, if any, of each claimant and the pro rata share to be distributed to a claim demonstrating loss.

V. Recovery assistance shall be limited to 50 cents on each dollar lost on the amount of the claimant's original investment.

VI. The attorney or administrator may consider individual claims filed by persons owning a joint interest that was subject to loss due to the Financial Resources Mortgage fraud, but any recovery awarded shall only be to the extent of each individual claimant's original investment.

359-P:6 Awards Under This Chapter Set Off Against Any Other Recovery.

I. The amount of any award made under this chapter shall be set off against any other recovery sources, including, but not limited to awards from private suits, arbitration, bankruptcy court awards or settlements, or other sources of recovery.

II. In the event a qualifying claimant receives an award from a recovery source listed in paragraph I subsequent to the filing of a claim under this chapter, the claimant shall immediately notify the committee of the award. The attorney or administrator shall then modify the claimant's award and pro rata share by offsetting such award against the claimant's award under this chapter.

359-P:7 Recovery Assistance Prohibited. Recovery assistance shall not be awarded if the attorney or administrator for the committee determines the claimant:

I. Sustained the monetary injury as a result of participating or assisting in or attempting to commit or committing financial fraud with Financial Resources Mortgage; or

II. Profited or would have profited from the financial fraud of Financial Resources Mortgage.

359-P:8 Award Not Subject to Other Processes. An award made under this chapter shall not be subject to execution, attachment, garnishment, or other process. A claimant convicted of forgery, fraud, or deception in connection with a claim under this chapter shall forfeit an award paid to the claimant under this chapter. The attorney general may file a civil action to recover funds against such a claimant.

359-P:9 Liability of State. The state shall not be liable for any written determination made under this chapter except to the extent that money is available in the fund on the date the award is computed.

359-P:10 Claims Prior to January 1, 2006. Claims for restitution assistance shall not be accepted for any losses that occurred prior to January 1, 2006 due to financial fraud.

2 New Subparagraph; FRM Victims Contribution Recovery Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (330) the following new subparagraph:

(331) Moneys deposited under the FRM victims' contribution recovery fund, established in RSA 359-P:2.

3 Repeal. The following are repealed:

I. RSA 359-P, relative to a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud.

II. RSA 6:12, I(b)(331), relative to the FRM victims' contribution recovery fund.

4 Contingent Repeal. Section 3 of this act shall take effect on the date the FRM victims' contribution recovery fund committee certifies to the secretary of state and the director of the office of legislative services that the last payment was made in accordance with RSA 359-P as inserted by section 1 of this act. Any moneys in the FRM victims' contribution recovery fund established in RSA 359-P:2 as inserted by section 1 of this act shall lapse to the general fund.

5 Effective Date.

I. Section 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. Under this bill, the FRM victims' contribution recovery fund committee shall cause through its attorney or administrator restitution assistance from the FRM victims' contribution recovery fund for such victims.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**SB 178**, relative to optometrist participation in vision insurance plans. **INEXPEDIENT TO LEGISLATE.**

Rep. George Hurt for Commerce and Consumer Affairs. This bill prohibits insurers who provide benefits for medical or hospital expenses for eye care from requiring an optometrist to participate in a separate vision plan as a condition for serving as a participating provider in the insurer's network. The majority of the committee determined that interfering in a private legal contract between two assenting parties would send the wrong message and set a bad precedent for the legislature. Furthermore, the US Supreme Court declared in *Dartmouth v. Woodward*, (17 U.S. 518) that "no state legislature shall make any law impairing the obligation of contracts." Vote 13-6. Committee report adopted.

#### MOTION TO SPECIAL ORDER

Rep. Tholl moved that **HB 240**, prohibiting law enforcement agencies from using a drone to collect evidence, be made a Special Order after **HB 602**, relative to the use of drones, from the Committee on Executive Departments and Administration.

Rep. Tholl spoke in favor.

Motion adopted.

#### MOTION TO SPECIAL ORDER

Rep. Hunt moved that **SB 219-FN**, relative to breastfeeding, be made a Special Order as the next order of business.

Rep. Hunt spoke in favor.

Motion adopted.

**BILL REMOVED FROM THE CONSENT CALENDAR****SPECIAL ORDER****SB 219-FN, relative to breastfeeding. OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill as amended requires employers in the state to provide employees who are nursing mothers the necessary time for breast pumping. An exception can be made for an employer who employs less than 50 employees if this requirement would impose an undue hardship. It also requires that state employees be provided a safe and sanitary space for breastfeeding for up to 6 months after the child is born, and for expressing milk for as long as the mother continues to lactate. Additionally, an Advisory Council on Breastfeeding is established to review the effects of this legislation on employers, and to recommend further legislation if needed. Vote 19-1.

**Amendment (2499h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to lactation and breastfeeding.

Amend RSA 275:77 as inserted by section 1 of the bill by replacing it with the following:

275:77 Time for Employees to Express Milk; State Employees.

I. An employer shall provide a reasonable break time for an employee to express breast milk for her nursing child each time such employee has need to express the milk.

II. An employer shall not be required to compensate an employee receiving reasonable break time under paragraph I for any work time spent for such purpose, providing such break shall be documented as a break for the purpose of expressing milk.

III. Where employers already provide compensated breaks, an employee who uses that break time to express milk shall be compensated in the same way that other employees are compensated for break time. In addition, the employee shall be completely relieved from duty or else the time shall be compensated as work time.

IV. An employer that employs less than 50 employees shall not be subject to the requirements of this chapter, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.

V. A lactating state employee shall have the right to breastfeed her child on any property owned, leased, or controlled by the state anywhere she is authorized to be. The state shall provide lactating employees with adequate facilities for breastfeeding for up to 6 months after the child is born and for expressing milk for as long as the mother continues to lactate. The location may include a child care facility or community lactation room in close proximity to the employee's work location. "Adequate facilities for breastfeeding" shall mean a sanitary indoor place, other than a bathroom or toilet stall, that is shielded from view from intrusion from co-workers and the public.

Amend RSA 275:80, I as inserted by section 1 of the bill by replacing it with the following:

I. There is hereby established an advisory council on breastfeeding. The advisory council shall follow the goals of the United States Surgeon General and the United States Breastfeeding Committee. The advisory council shall be comprised of, but not limited to:

(a) One member of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the senate president.

(c) The commissioner of the department of labor, or designee.

(d) A member of the New Hampshire Business and Industry Association, appointed by the association.

(e) The president of the New Hampshire Breastfeeding Rights Coalition, or designee.

(f) A transportation representative, appointed by the governor.

(g) A breastfeeding mother, appointed by the governor.

(h) An attorney with experience in human rights issues, appointed by the New Hampshire commission on human rights.

Amend RSA 275:80, III as inserted by section 1 of the bill by replacing it with the following:

III. Legislative members shall receive mileage at the legislative rate when attending to the duties of the advisory council.

Amend RSA 275:80, V as inserted by section 1 of the bill by replacing it with the following:



V. The advisory council shall make an interim report commencing on November 1, 2016 and a final report on December 1, 2017 on its activities and findings, together with any recommendations for proposed legislation, to the president of the senate, the speaker of the house of representatives, and the governor.

Amend the bill by replacing all after section 2 with the following:

3 Repeal. RSA 275:80, relative to an advisory council on breastfeeding, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect December 1, 2017.

II. The remainder of this act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill requires employers to provide reasonable accommodations to women who are breastfeeding. The bill also establishes an advisory council on breastfeeding.

Reps. Barbara Griffin and Notter spoke against.

Rep. Butler spoke in favor and yielded to questions.

### MOTION TO LAY ON THE TABLE

Rep. Hunt moved that **SB 219-FN**, relative to breastfeeding, be laid on the table.

Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 188    NAYS 158**

#### YEAS - 188

##### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

##### CARROLL

Avellani, Lino	Comeau, Ed	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold		

##### CHESHIRE

Hunt, John	McConnell, James	Parkhurst, Henry	Sterling, Franklin
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##### COOS

Fothergill, John	Rappaport, Laurence	Rideout, Leon	Tholl, John
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##### GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingretson, Paul	Johnson, Eric
Piper, Wendy			

##### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Christensen, Chris
Christie, Rick	Coffey, James	Cohen, Alan	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hinch, Richard	Hogan, Edith	Hopper, Gary	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire

Rowe, Robert  
 Simmons, Tammy  
 Sullivan, Victoria  
 Wolf, Terry

Sanborn, Laurie  
 Smith, Gregory  
 Takesian, Charlene  
 Zaricki, Nick

Schleien, Eric  
 Souza, Kathleen  
 Twombly, Timothy

Scontsas, Lisa  
 Straight, Phillip  
 Williams, Kermit

### MERRIMACK

Brewster, Michael  
 Kidder, David  
 Marple, Richard  
 Parent, Jason

Hill, Gregory  
 Kotowski, Frank  
 Martin, John  
 Rice, Chip

Hoell, J.R.  
 Kuch, Bill  
 McGuire, Carol  
 Saunderson, George

Horn, Werner  
 Long, Douglas  
 McGuire, Dan  
 Wheeler, Deborah

### ROCKINGHAM

Abrami, Patrick  
 Barnes, Arthur  
 Chase, Francis  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Matthews, Carolyn  
 Nigrello, Robert  
 Schroadter, Adam  
 Tamburello, Daniel  
 Vose, Michael  
 Woitkun, Steven

Allen, Mary  
 Bates, David  
 Chirichiello, Brian  
 Devine, James  
 Ferrante, Beverly  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 O'Connor, John  
 Spillane, James  
 Thomas, Douglas  
 Ward, Joanne

Azarian, Gary  
 Bush, Carol  
 Christie, Andrew  
 Duarte, Joe  
 Gannon, William  
 Guthrie, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 McMahon, Charles  
 Osborne, Jason  
 Sweeney, Joe  
 Tilton, Rio  
 Webb, James

Baldasaro, Alfred  
 Cardon, G. Thomas  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Lundgren, David  
 Milz, David  
 Potucek, John  
 Sytek, John  
 Tucker, Pamela  
 Welch, David

### STRAFFORD

Bickford, David  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Turcotte, Leonard

Cheney, Catherine  
 Groen, Warren  
 Leeman, Don  
 Whitehouse, Joshua

DeLemus, Susan  
 Hannon, Joseph  
 Mullen, John  
 Wuelper, Kurt

Graham, Robert  
 Jones, Laura  
 Sprague, Dale

### SULLIVAN

Laware, Thomas

Schmidt, Andrew

### NAYS - 158

### CARROLL

Buco, Thomas  
 Ticehurst, Susan

Butler, Edward  
 Umberger, Karen

Cordelli, Glenn  
 Wright, Ted

Crawford, Karel

### CHESHIRE

Abbott, Michael  
 Chase, Cynthia  
 Mann, John  
 Sad, Tara  
 Weber, Lucy

Ames, Richard  
 Eaton, Daniel  
 Pearson, William  
 Shepardson, Marjorie

Berch, Paul  
 Johnsen, Gladys  
 Phillips, Larry  
 Tatro, Bruce

Bordenet, John  
 Ley, Douglas  
 Robertson, Timothy  
 Tilton, Benjamin

### COOS

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

### GRAFTON

Abel, Richard  
 Cooney, Mary  
 Maes, Kevin  
 Smith, Suzanne

Almy, Susan  
 Ford, Susan  
 Massimilla, Linda  
 Sykes, George

Brown, Chris  
 Hennessey, Martha  
 Nordgren, Sharon  
 Townsend, Charles

Brown, Rebecca  
 Ladd, Rick  
 Shackett, Jeffrey

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Byron, Frank	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Edwards, Elizabeth	Freitas, Mary
Gidge, Kenneth	Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Infantine, William
Jack, Martin	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Murotake, David	O'Brien, Michael
O'Neil, William	Palmer, Barry	Porter, Marjorie	Roberts, Carol
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Ulery, Jordan	Vann, Ivy
Walsh, Robert	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Karrick, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Schuett, Dianne
Seaworth, Brian	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

**ROCKINGHAM**

Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cook, Allen	Cushing, Robert	DiFranco, Debbie
Fesh, Robert	Francesse, Paula	Friel, William	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia
Pantelakos, Laura	Peckham, Michele	Prudhomme-O'Brien, Katherine	Rice, Frederick
Sherman, Thomas	Simpson, Alexis	Tasker, Kyle	Ward, Gerald
Weyler, Kenneth			

**STRAFFORD**

Baber, William	Bixby, Peter	Burton, Wayne	Cillely, Jacalyn
Horrigan, Timothy	Kaen, Naida	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Stevens, Audrey
Treleaven, Susan	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Oxenham, Lee	Rollins, Skip
Smith, Steven			

and the motion was adopted.

**REGULAR CALENDAR CONT'D**

**HB 512**, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill amends RSA 4:46, I-a which prohibits confiscation of firearms during a state of emergency and adds firearms accessories and procedures for return of such items when illegally confiscated. It also protects a law enforcement officer from disciplinary action for refusing an order to confiscate weapons and establishes a cap on damages for violations of the statute. The amendment adds a definition of "law enforcement officer" to the current statute. Vote 9-8.

**Amendment (2379h)**

Amend RSA 4:46, I-a as inserted by section 1 of the bill by inserting after subparagraph (e) the following new subparagraph:

*(f) For the purposes of this paragraph, "law enforcement officer" includes, but is not limited to, state, local, and county officials, federal agents, members of the National Guard, members of the United States Armed Forces, private security persons, United Nations troops, and United Nations Armed Forces.*

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 231    NAYS 121**

**YEAS - 231**

**BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Hurt, George  
Spanos, Peter  
Varney, Peter

Dumais, Russell  
Fraser, Valerie  
LeBreche, Shari  
Sylvia, Michael

Fields, Dennis  
Gallagher, Brian  
Luther, Robert  
Tilton, Franklin

Fisher, Robert  
Howard, Jr., Raymond  
Russell, David  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Umberger, Karen

Comeau, Ed  
McConkey, Mark  
Wright, Ted

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Hunt, John  
Sterling, Franklin

McConnell, James  
Tilton, Benjamin

Pearson, William

Roberts, Kris

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Ladd, Rick

Brown, Duane  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ingbretson, Paul  
Shackett, Jeffrey

Gionet, Edmond  
Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Edwards, Elizabeth  
Gagne, Larry  
Goulette, William  
Hansen, Peter  
Infantine, William  
Leishman, Peter  
McCarthy, Peggy  
Murotake, David  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Stepanek, Stephen  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Donovan, Daniel  
Estevez, Eric  
Gidge, Kenneth  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
Long, Patrick  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Smith, Gregory  
Straight, Phillip  
Wolf, Terry

Balcom, John  
Burt, John  
Coffey, James  
Eastman, Eric  
Ferreira, Elizabeth  
Gonzalez, Carlos  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
Manley, Jonathan  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Scotsas, Lisa  
Soucy, Timothy  
Sullivan, Victoria  
Zaricki, Nick

Belanger, James  
Byron, Frank  
Cohen, Alan  
Edelblut, Frank  
Flanagan, Jack  
Gould, Linda  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Shaw, Barbara  
Souza, Kathleen  
Twombly, Timothy

**MERRIMACK**

Brewster, Michael  
Kotowski, Frank  
Martin, John  
Rice, Chip  
Wheeler, Deborah

Hill, Gregory  
Kuch, Bill  
McGuire, Carol  
Seaworth, Brian

Hoell, J.R.  
Long, Douglas  
McGuire, Dan  
Turcotte, Alan

Horn, Werner  
Marple, Richard  
Parent, Jason  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
 Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Christie, Andrew  
 Devine, James  
 Emerick, J. Tracy  
 Gannon, William  
 Guthrie, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 McMahon, Charles  
 Osborne, Jason  
 Rice, Frederick  
 Sytek, John  
 Tilton, Rio  
 Webb, James

Allen, Mary  
 Bates, David  
 Cardon, G. Thomas  
 Cook, Allen  
 Doucette, Fred  
 Ferrante, Beverly  
 Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Lundgren, David  
 Milz, David  
 Peckham, Michele  
 Schroadter, Adam  
 Tamburello, Daniel  
 Tucker, Pamela  
 Welch, David

Azarian, Gary  
 Belanger, Ronald  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Duarte, Joe  
 Fesh, Robert  
 Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Matthews, Carolyn  
 Nigrello, Robert  
 Potucek, John  
 Spillane, James  
 Tasker, Kyle  
 Vose, Michael  
 Weyler, Kenneth

Baldasaro, Alfred  
 Bush, Carol  
 Chirichiello, Brian  
 DeSimone, Debra  
 Elliott, Robert  
 Friel, William  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 O'Connor, John  
 Prudhomme-O'Brien, Katherine  
 Sweeney, Joe  
 Thomas, Douglas  
 Ward, Joanne  
 Woitkun, Steven

**STRAFFORD**

Bickford, David  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Sprague, Dale  
 Wuelper, Kurt

Cheney, Catherine  
 Groen, Warren  
 Leeman, Don  
 Stevens, Audrey

DeLemus, Susan  
 Hannon, Joseph  
 Mullen, John  
 Turcotte, Leonard

Graham, Robert  
 Jones, Laura  
 Pitre, Joseph  
 Whitehouse, Joshua

**SULLIVAN**

Cloutier, John  
 Irwin, Virginia

Converse, Larry  
 Laware, Thomas

Gagnon, Raymond  
 Rollins, Skip

Grenier, James  
 Smith, Steven

**NAYS - 121****CARROLL**

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 Mann, John  
 Sad, Tara

Ames, Richard  
 Eaton, Daniel  
 Parkhurst, Henry  
 Shepardson, Marjorie

Berch, Paul  
 Johnsen, Gladys  
 Phillips, Larry  
 Tatro, Bruce

Bordenet, John  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

**COOS**

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
 Cooney, Mary  
 Massimilla, Linda  
 Townsend, Charles

Almy, Susan  
 Ford, Susan  
 Nordgren, Sharon

Brown, Chris  
 Hennessey, Martha  
 Smith, Suzanne

Brown, Rebecca  
 Maes, Kevin  
 Sykes, George

**HILLSBOROUGH**

Backus, Robert  
 Brown, Pamela  
 Forest, Armand  
 Hansberry, Daniel  
 Jack, Martin  
 O'Neil, William  
 Snow, Kendall  
 Walsh, Robert

Baroody, Benjamin  
 Cornell, Patricia  
 Freitas, Mary  
 Harvey, Suzanne  
 Mangipudi, Latha  
 Porter, Marjorie  
 Sullivan, Daniel  
 Williams, Kermit

Beaulieu, Jane  
 Cote, David  
 Gorman, Mary  
 Heath, Mary  
 McNamara, Richard  
 Rosenwald, Cindy  
 Taskesian, Charlene  
 Woodbury, David

Booras, Efstathia  
 DiSilvestro, Linda  
 Guerette, C. Lee  
 Herbert, Christopher  
 O'Brien, Michael  
 Shattuck, Gilman  
 Vann, Ivy

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Karrick, David
Kidder, David	Luneau, David	Mackay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

**STRAFFORD**

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Treleaven, Susan	Wall, Janet
Ward, Kenneth			

**SULLIVAN**

Gotting, Suzanne      Oxenham, Lee      Schmidt, Andrew  
and the committee report was adopted and ordered to third reading.

**REFERRAL DECLINED**

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 536**, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.

**REGULAR CALENDAR CONT'D**

**HB 582-FN**, repealing the license requirement for carrying a concealed pistol or revolver. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for the Majority of Criminal Justice and Public Safety. As amended, the bill extends the license renewal period from 4 years to 5 years, saving time for both citizens and police departments. The bill codifies in New Hampshire statute precisely what criteria should be used by police departments when issuing a license. This change proactively addresses the concern that police departments have a perceived liability for issuing a license to someone who would misuse a firearm. The changes to the statutes in no way prohibit the police from running background checks to verify that the person is legally able to own and possess a firearm. The bill makes the license to carry concealed optional for those who are currently able to purchase and/or own a firearm and can already carry openly without a license. Lastly, the bill clarifies the process on how New Hampshire develops reciprocal agreements with other states regarding carry licenses. All of the changes in the bill are in compliance with Part 1, Art. 2-a, of the New Hampshire Constitution, protecting a person's right to keep and bear arms, while also recognizing law enforcement's requests to prohibit certain persons from obtaining a license. The committee heard significant testimony about the current abuses within the existing licensing system. Over the last few months, there have been several court cases where law abiding citizens, "suitable" citizens, were denied a license renewal over misinterpretations of the current law. The cases involved issues such as the police chief asking for reference phone numbers; something that is prohibited by statute. Another case was that the chief did not like the particular references who were selected. In each of these cases, the citizens spent thousands of dollars in legal fees to get their renewal completed. In other cases, chiefs are denying people due to the ambiguity in the law about who can have a license. There was also a recent New Hampshire Supreme Court case involving *Mark Doyon v. Hooksett Police Department* that altered the standards which were being used by police departments to grant licenses. Current New Hampshire statute requires that upon application, the police "shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state and that the applicant is a suitable person to be licensed." The issue at hand is that there is no definition in statute for the term "suitable." This ambiguity had been addressed for over a decade by the backside of the application form which read: "Applicants not

prohibited under federal or New Hampshire law from possession of a firearm shall be deemed suitable persons and the license shall be issued unless the applicant is so prohibited from possessing a firearm. The burden is on the licensing entity to prove by clear and convincing proof that the applicant is so prohibited from possessing a firearm.” The bill updates the language in current statutes to the following clear definition for use by police departments when issuing a license: “Unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm.” The majority of the committee felt that the language changes in the amendment balanced the need for public safety while protecting the rights of citizens. The committee also heard testimony regarding the historic racial profiling and anti-union roots of this legislation from the early 1900s. Vote 9-8.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. The minority is opposed to the repeal provisions contained in this bill. New Hampshire’s current concealed carry permitting law has worked well for nearly a century; the Granite State is one of the safest states in the nation. Our concealed weapons permitting system gives an important oversight role to local law enforcement while allowing for appeals through appropriate channels. Law enforcement and public safety officials oppose removing the licensing process. This process helps ensure that potentially dangerous individuals are not allowed to carry hidden weapons. The ability of states to appropriately regulate the concealed carry of firearms has been reaffirmed in its constitutional soundness time and time again by the United States Supreme Court. New Hampshire law already allows for the open carry of handguns without a permit, and it also ensures that an appeal process is in place when a permit is denied. States that currently allow concealed carry of firearms without a permit have far stricter regulations at the point of original purchase than New Hampshire does, including more vigorous background checks. In his book *Live Free or Die*, Governor Mel Thomson said that the current permitting process for concealed carry is “a sensible handgun law that leaves the issuance of handgun permits to the discretion of [local law enforcement].” For these reasons, the minority urges common sense and opposes this bill.

#### Majority Amendment (2399h)

Amend RSA 159:6 as inserted by section 1 of the bill by replacing it with the following:  
159:6 License to Carry.

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant’s person or property or has any proper purpose[~~—and that the applicant is a suitable person to be licensed~~], ***unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm.*** Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for [4] 5 years. When required, license renewal shall take place within the month of the [fourth] *fifth* anniversary of the license holder’s date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. ***The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009.*** No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew a license to carry for a resident or nonresident, unless requested by the applicant.

*III. The availability of a license to carry a loaded pistol or revolver under this section or under any other provision of law shall not be construed to impose a prohibition on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person, whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if that individual is not otherwise prohibited by statute from possessing a firearm in the state of New Hampshire.*

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Burton spoke against and yielded to questions.

Rep. Burt spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 206    NAYS 146**

**YEAS - 206**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Russell, David	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Umberger, Karen	Wright, Ted		

**CHESHIRE**

Hunt, John	McConnell, James	Sterling, Franklin
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**COOS**

Rappaport, Laurence	Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hull, Robert	Ingretson, Paul	Johnson, Eric	Ladd, Rick
Piper, Wendy	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christie, Rick	Coffey, James	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry	Gonzalez, Carlos
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Jack, Martin	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Scoutsas, Lisa	Shaw, Barbara	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria
Twombly, Timothy	Uler, Jordan	Wolf, Terry	Zaricki, Nick



**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

Hill, Gregory  
Kuch, Bill  
McGuire, Carol  
Turcotte, Alan

Hoell, J.R.  
Long, Douglas  
McGuire, Dan  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Chase, Francis  
Dean-Bailey, Yvonne  
Duarte, Joe  
Friel, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
Nigrello, Robert  
Peckham, Michele  
Schroader, Adam  
Tamburello, Daniel  
Tucker, Pamela  
Welch, David

Allen, Mary  
Belanger, Ronald  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Spillane, James  
Tasker, Kyle  
Vose, Michael  
Weyler, Kenneth

Baldasaro, Alfred  
Bush, Carol  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
McMahon, Charles  
Oigny, Jeffrey  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

Barnes, Arthur  
Cardon, G. Thomas  
Cook, Allen  
Doucette, Fred  
Fesh, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Milz, David  
Osborne, Jason  
Rice, Frederick  
Sytek, John  
Tilton, Rio  
Webb, James

**STRAFFORD**

Bickford, David  
Graham, Robert  
Jones, Laura  
Pitre, Joseph  
Wuelper, Kurt

Cheney, Catherine  
Gray, James  
Kaczynski, Jr., Thomas  
Sprague, Dale

DeLemus, Susan  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard

Gardner, Janice  
Hannon, Joseph  
Mullen, John  
Whitehouse, Joshua

**SULLIVAN**

Converse, Larry  
Smith, Steven

Grenier, James

Laware, Thomas

Rollins, Skip

**NAYS - 146****BELKNAP**

Flanders, Donald

Spanos, Peter

**CARROLL**

Buco, Thomas

Butler, Edward

Crawford, Karel

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Thomas, Yvonne

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Nordgren, Sharon

Brown, Chris  
Hennessey, Martha  
Smith, Suzanne

Brown, Rebecca  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
O'Neil, William	Porter, Marjorie	Rosenwald, Cindy	Rowe, Robert
Shattuck, Gilman	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Karrick, David
Kidder, David	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Rogers, Katherine	Saunderson, George	Schuetz, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		

**ROCKINGHAM**

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Elliott, Robert
Francese, Paula	Gordon, Pamela	Griffin, Mary	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	McKinney, Betsy	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

**STRAFFORD**

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted and ordered to third reading.

**HB 605-FN**, repealing mandatory minimum sentences. **OUGHT TO PASS WITH AMENDMENT.** Rep. John Martin for Criminal Justice and Public Safety. This bill as introduced would have eliminated all mandatory minimum sentences. After subcommittee review, the bill was determined to be overbroad and unwieldy, particularly in relation to provisions regarding major drug offenses and sex offenses. The amendment repeals only provisions relating to armed career criminals, habitual offenders, and driving after revocation or suspension. Vote 14-3.

**Amendment (2427h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to mandatory minimum sentences.

Amend the bill by replacing all after the enacting clause with the following:

1 Pistols and Revolvers; Armed Career Criminals. Amend RSA 159:3-a, II to read as follows:

II. Any person who violates paragraph I shall be guilty of a felony and, notwithstanding RSA 651:2, II, shall be sentenced to a ~~[minimum mandatory term of 10 years imprisonment and a]~~ maximum term of imprisonment of not more than 40 years and shall be fined not more than \$25,000.

2 Habitual Offenders; Penalty. Amend RSA 262:23 to read as follows:  
262:23 Penalty.

I. It shall be unlawful for any person to drive any motor vehicle on the ways of this state while an order of the director or the court prohibiting such driving remains in effect. If any person found to be an habitual offender under the provisions of this chapter is convicted of driving a motor vehicle on the ways of this state while an order of the director or the court prohibiting such operation is in effect, he or she shall be guilty of a felony and sentenced, notwithstanding the provisions of RSA title LXII, to imprisonment for not ~~[less than one year nor]~~ more than 5 years. No ~~[portion of the minimum mandatory sentence shall be suspended, and no]~~ case brought to enforce this chapter shall be continued for sentencing; provided, however, that any sentence or part thereof imposed pursuant to this section may be suspended in cases in which the driving of a motor vehicle was necessitated by situations of apparent extreme emergency which required such operation to save life or limb. Any sentence of one year or less imposed pursuant to this paragraph shall be served in a county correctional facility. The sentencing court may order that any such offender may serve his or her sentence under home confinement pursuant to RSA 651:19 based on the rules and regulations of the county correctional facility where the sentence is to be served ~~[for the minimum mandatory term or any portion thereof]~~, provided the offender first serves 14 consecutive days of imprisonment prior to eligibility for home confinement. Habitual offenders shall only be eligible for the home confinement program once per lifetime. Any sentence of more than one year imposed pursuant to this paragraph shall be served in the state prison.

II. For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his license, permit or privilege to drive is suspended or revoked, or is charged with driving without a license, the court before hearing such charge shall determine whether such person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state. For the purposes of this section, in determining whether the person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state, a certified copy of the individual's motor vehicle record on file with the division shall be as competent evidence in any court within this state as the original record would be if produced by the director as legal custodian thereof.

III. ~~[Notwithstanding paragraph I, any person who qualifies under RSA 259:39 shall not be subject to the minimum mandatory provisions of paragraph I if, and only if, that person's certification was not based on any conviction under RSA 265-A:2, I or any misdemeanor or felony motor vehicle conviction pursuant to RSA title XXI, and that person has not been convicted of any such offense, or any reasonably similar offense in any jurisdiction within the United States and Canada, since the date of the certification; provided, however, that any such person shall be guilty of a class A misdemeanor and may be sentenced to one year or less.]~~ Any person incarcerated upon the effective date of this paragraph, pursuant to certification as an habitual offender under RSA 259:39, who does not have a conviction under RSA 265-A:2, I involving a vehicle or any misdemeanor or felony motor vehicle convictions pursuant to RSA title XXI, may apply immediately to the superior court for sentence review and reduction.

3 License Suspension and Revocation; Driving After Revocation or Suspension. Amend RSA 263:64, IV to read as follows:

IV. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265:79 or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265-A:2, I, RSA 265-A:3, RSA 630:3, II, RSA 265:82, or RSA 265:82-a or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor and shall be sentenced to imprisonment for a period not less than 7 consecutive 24-hour periods to be served within 6 months of the conviction, shall be fined not more than \$1,000, and shall have his or her license or privilege revoked for an additional year. ~~[No portion of the minimum mandatory sentence of imprisonment shall be suspended by the court.]~~ No case brought to enforce this paragraph shall be continued for sentencing for longer than 35 days. ~~[No person serving the minimum mandatory sentence under this paragraph shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by title LXII or any other provision of law.]~~

4 Effective Date. This act shall take effect January 1, 2017.

**AMENDED ANALYSIS**

This bill eliminates certain mandatory minimum sentences.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 617-FN-A, requiring state police to wear a camera when interacting with the public. OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Cushing for Criminal Justice and Public Safety. Over the course of the past 2 legislative sessions, the Criminal Justice and Public Safety Committee has devoted a lot of time considering legislation and studying issues regarding the deployment of Body-Worn Cameras (BWCs) used by law enforcement. The committee heard testimony and received input from representatives of a number of law enforcement agencies, the offices of the Attorney General and the Commissioner of Safety, civil liberties advocates, defense attorneys, advocates for crime victims, representatives of media organizations, representatives of vendors of cameras and data storage systems, as well as members of the public. There is a general consensus amongst stakeholders that the use of BWCs can be a benefit to public safety, foster better interactions between police and members of the public, protect members of law enforcement, promote accountability and assist in investigations. The amendment to HB 617 recommended by the committee represents a synthesis of best practices and a balanced approach to the use of BWCs that is appropriate for New Hampshire. The use of BWCs will be voluntary. For agencies that choose to use them, HB 617 requires that officers can only use BWCs issued by their departments, all recordings are the property of their police department, all images and sound from a BWC recording are for law enforcement purposes only, all officers using BWCs must be trained, BWCs must be activated on arriving at the scene of a call for service or when engaged in any law enforcement-related activity, recordings must be specific to an incident and not cover an entire patrol, officers must inform individuals they are being recorded, and, except for emergencies, officers can only use while in uniform. BWCs may not be used to record certain events, including intimate body searches, an interview with a crime victim, unless the victim consents, interaction with a person wishing to report a crime anonymously, when engaged in personal activities, in locations where an individual has an expectation of privacy such as a residence or restroom. Once activated, the BWC must remain on until the event is completed and all recordings must be securely stored according to FBI standards and no one may alter, erase, copy, share or otherwise distribute except as provided in the law. BWC records are exempt from the Right to Know Law, except when the recordings show any restraint or use of force by an officer, excluding portions that constitute an invasion of privacy, or the discharge of a firearm, or a felony-level arrest, excluding any portion that constitutes an invasion of privacy. The committee believes that the bill as amended represents an appropriate balance between public safety and individual liberty. Vote 14-3.

**Amendment (2522h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Body-Worn Cameras. Amend RSA by inserting after chapter 105-C the following new chapter:

**CHAPTER 105-D  
BODY-WORN CAMERAS**

105-D:1 Definitions. In this chapter:

I. "Body-worn camera" or "BWC" means an electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

II. "Community caretaking function" means a task undertaken by a law enforcement officer in which the officer is performing an articulable act unrelated to the investigation of a crime. It includes, but is not limited to, participating in town halls or other community outreach, helping a child find his or her parents, providing death notifications, dealing with individuals asking for directions or other assistance, and performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing.

III. "In uniform" means a law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, gun belt, a patch, or other insignia that he or she is a law enforcement officer acting in the course of his or her duties.

IV. "Law enforcement officer" or "officer" means any person employed by a law enforcement agency.

V. "Law enforcement agency" or "agency" means a state, county, municipality, special district, security service or police of the community college system of New Hampshire and the university system of New Hampshire, security service of the legislative or judicial branch, unit of local government police department or any other entity authorized by law to employ law enforcement officers or exercise police authority.

VI. "Law enforcement-related encounters or activities" include, but are not limited to, traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or state. The term does not include:

(a) Activities when the officer is completing paperwork alone or is in the presence of another law enforcement officer or officers; or

(b) Community caretaking functions.

VII. "Minor traffic offense" means a petty offense or a violation under the New Hampshire motor vehicle code or a similar provision of a municipal or local ordinance.

VIII. "Petty offense" means conduct that constitutes a class B misdemeanor or a violation.

IX. "Recording" means the process of capturing data or information stored on a recording medium.

X. "Recording medium" means any recording medium for the retention and playback of recorded audio and video including, but not limited to, VHS, DVD, hard drive, cloud storage, solid state, digital, flash memory technology, or any other electronic medium.

XI. "Subject of the recording" means any law enforcement officer or any suspect, victim, detainee, conversant, injured party, witness, or other similarly situated person who appears on the recording, and shall not include people who only incidentally appear on the recording.

#### 105-D:2 Use of Body-Worn Cameras.

I. This chapter shall apply to any law enforcement agency that elects to equip its law enforcement officers with body-worn cameras. All BWCs shall be operated in a manner consistent with the provisions of this chapter. Every law enforcement agency that elects to equip its officers with BWCs shall adopt policies and procedures relating to the use of BWCs and the retention and destruction of data consistent with this chapter.

II. Officers shall only use BWCs issued by their respective law enforcement agencies. BWC equipment and all data, images, and video captured, recorded, or otherwise produced by the equipment are the property of the officer's law enforcement agency and shall be subject to the restrictions in this chapter.

III. Officers who are assigned BWCs shall successfully complete an agency-approved training program to ensure proper use and operations.

IV. Officers shall only use BWCs while in uniform.

V. Officers shall activate the video and audio components of BWCs and start recording upon arrival on scene of a call for service or when engaged in any law enforcement-related encounter or activity; provided, however, that in those cases set forth in subparagraphs VII(d), (e), and (h) and paragraph X in which an individual has a right not to be recorded, officers shall inform an individual of this option. If a citizen then declines to be recorded, the officer shall deactivate the audio and video functions. The officer shall document the reason why the camera was not activated in the associated police report. If exigent circumstances exist which prevent the BWC from being activated as set forth above, the device must be turned on as soon as practicable.

VI. Recordings shall be specific to an incident. Officers shall not indiscriminately record entire duties or patrols.

VII. A BWC shall not be used to record any of the following:

(a) Communications with other police personnel except to the extent such communications are incidental to a permissible recording.

(b) Encounters with police personnel or individuals whom the officer knows are acting in an undercover capacity or as confidential informants respectively, unless expressly directed to be included as part of the investigation.

(c) Intimate searches, when otherwise permitted by the agency's strip-and-body-cavity search policy, or nudity.

(d) An interview with a crime victim unless his or her express consent has been obtained before the recording is made. Any recording obtained shall be consistent with the New Hampshire attorney general's model protocol for response to adult sexual assault cases, the New Hampshire attorney general's domestic violence protocol for law enforcement, the New Hampshire attorney general's stalking protocol for law enforcement, and the New Hampshire attorney general's child abuse and neglect protocol, as applicable. This subparagraph may be waived upon approval of the head of the law enforcement agency when the parent or legal guardian is the subject of the investigation to which a juvenile is a victim or witness.

(e) Interactions with a person seeking to report a crime anonymously. In such an instance, the law enforcement officer shall, as soon as practicable, ask the person seeking to remain anonymous if the person wants the officer to use the officer's BWC. If the person responds negatively, the law enforcement officer shall deactivate the audio and video functions.

(f) While on the grounds of any public, private, or parochial elementary or secondary school, except when responding to an imminent threat to life or health or a call for service.

(g) When on break or otherwise engaged in personal activities.

(h) In any location where an individual has a reasonable expectation of privacy, such as a residence, a restroom, or a locker room.

(i) In any instance when it is believed that an explosive device may be present and electrostatic interference from the BWC may trigger the device.

IX. Except in emergency situations, officers shall inform an individual that he or she is being recorded. When notification is not made, the recording officer shall note the reason for non-notification within the associated report.

X. In locations where an individual has a reasonable expectation of privacy, such as a residence, a citizen may decline to be recorded unless the recording is being made while executing an arrest warrant, or a warrant issued by a court, or the officer is in the location pursuant to a judicially-recognized exception to the warrant requirement. Officers shall inform an individual of this option. If a citizen then declines to be recorded, the officer shall deactivate the audio and video functions. The officer shall document the reason why the camera was not activated in the associated police report.

XI. Once activated, the BWC shall remain activated until the event is completed in order to ensure the integrity of the recording.

XII. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated as part of the associated police report.

XIII. Except as authorized in this section, no person, including without limitation officers and their supervisors, shall edit, alter, erase, delete, duplicate, copy, subject to automated analysis or analytics of any kind, including but not limited to facial recognition technology, share, display, or otherwise distribute in any manner any BWC recordings or portions thereof.

XIV. Recorded images and sound made from an agency-issued BWC shall be for law enforcement purposes only. All access to this data shall be audited to ensure that authorized users only are accessing the data for law enforcement purposes only. All access to BWC data shall be authorized by the head of the law enforcement agency and only for the purposes set forth in this chapter.

XV. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other use of deadly force, the agency may limit or restrict an officer from viewing the video file.

XVI. All recordings shall be securely stored no later than the end of each shift in conformity to the most recent security policy of the Criminal Justice Information Services (CJIS) of the criminal justice information services division of the Federal Bureau of Investigation of the United States Department of Justice. Recordings shall not be divulged or used by a law enforcement agency for any commercial or other non-law enforcement purpose. Where a law enforcement agency authorizes a third party to act as its agent in storing recordings, the agent shall not independently access, view or alter any recording, except to delete videos as required by law or agency retention policies. Neither the agency nor its agent shall subject any recording to analysis or analytics of any kind, including without limitation facial recognition technology and data mining.

XVII. Recordings made by a BWC shall be permanently destroyed by overwriting or otherwise every 180 days, except that such recording shall be retained by the law enforcement agency that employs the officer whose BWC made the recording, or an authorized agent thereof, for up to 3 years if:

(a) The recording captures images involving any of the following:

(1) Any action by a law enforcement officer that involves the use of deadly force or restraint.

(2) The discharge of a firearm.

(3) Death or serious bodily injury.

(4) An encounter that results in an arrest for a felony-level offense.

(5) An encounter about which a complaint has been filed with the police department within 180 days after the encounter.

(b) The recording is being retained by the law enforcement agency as evidence in a civil or criminal case or as part of an internal affairs investigation or as part of an employee disciplinary investigation.

XVIII. Notwithstanding the provisions of paragraph XVII:

(a) If there is any other legal requirement for retaining the recording, including but not limited to litigation, a pending criminal case, or a valid court order, then the recording shall be retained only as long as is legally required; and

(b) The chief law enforcement officer of the agency may designate the recording as a training tool, provided that that a person's image and vehicle license plate numbers shall first be permanently deleted, distorted, or obscured. A recording so designated and prepared may be viewed solely by officers for training purposes only.

XIX. Any recording undertaken in violation of this chapter or any other applicable law shall be immediately destroyed and shall not be admissible as evidence in any criminal or civil legal or administrative proceeding.

2 New Subparagraph; Wiretapping and Eavesdropping; Exceptions. Amend RSA 570-A:2, II by inserting after subparagraph (l) the following new subparagraph:

(m) A law enforcement officer to make a body-worn recording pursuant to RSA 105-D.

3 New Paragraph; Access to Governmental Records, Exemptions. Amend RSA 91-A:5 by inserting after paragraph IX the following new paragraph:

X. Video and audio recordings made by a law enforcement officer using a body-worn camera pursuant to RSA 105-D except where such recordings depict any of the following:

(a) Any restraint or use of force by a law enforcement officer; provided, however, that this exemption shall not include those portions of recordings which constitute an invasion of privacy of any person or which are otherwise exempt from disclosure.

(b) The discharge of a firearm.

(c) An encounter that results in an arrest for a felony-level offense, provided, however, that this exemption shall not apply to recordings or portions thereof that constitute an invasion of privacy or which are otherwise exempt from disclosure.

4 Effective Date. This act shall take effect January 1, 2017.

## AMENDED ANALYSIS

This bill:

I. Regulates a law enforcement agency's use of body-worn cameras.

II. Exempts such recordings from the wiretapping and eavesdropping statute and, under certain circumstances, from the right-to-know law.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

## REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 617-FN-A**, requiring state police to wear a camera when interacting with the public.

## REGULAR CALENDAR CONT'D

**HB 218-FN**, relative to additional funding for third grade proficiency in mathematics. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Mel Myler for the Majority of Education. This bill provides differentiated aid for students not proficient in math. Along with students not reaching this proficient level in reading, math is now made available to local school districts to assist lower achieving students. This bill recognizes that both reading and math are foundations for education. Vote 14-6.

Rep. Christopher Adams for the Minority of Education. It is the opinion of the minority that while the bill has the best interests of the students affected in mind, it is considered to be flawed in several areas. At the time of this vote, it is unknown as to what extent of the student population will be subject to this legislation due to their having not met proficiency on the newly implemented state assessment. Based upon known results from states that have seen results from these new tests, it can be expected that the number of students not meeting proficiency will rise substantially. Accountability for the directed funds is not assured by this legislation, and in fact may provide a disincentive to perform well in these efforts. To date, little evidence of success in improving reading achievement can be attributed to the original legislative attempt. If it is the intent of the committee to improve overall funding for an adequate education, then the committee and legislature should consider a more holistic bill in place of a piecemeal approach to funding of public education.

### Majority Amendment (2441h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to third grade proficiency in mathematics.

Amend RSA 198:40-a, II-a as inserted by section 1 of the bill by replacing it with the following:

II-a. An additional \$675 for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading *component or the mathematics* component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year.

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2017.

### AMENDED ANALYSIS

This bill provides that additional adequacy aid shall be available for each third grade pupil not testing at the proficient level or above on the reading component or the mathematics component of the statewide assessment.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 192 members having voted in the affirmative and 148 in the negative, the majority committee report was adopted and referred to the Committee on Finance.

### **HB 231, relative to applications for school building aid. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Gile for the Majority of Education. This bill as amended states that a school district which initiated and completed a locally funded school renovation project to remedy a safety condition identified by the state fire marshal on or before June 30, 2017, shall be eligible to include any corrected safety condition in a subsequent application for school building aid submitted by the school district after June 17, 2017. Projects approved must contribute to operational cost efficiencies, consolidation or reduced property tax, and must contribute to the improvement of educational services. Vote 13-7.

Rep. John Balcom for the Minority of Education. The minority felt this was a community expense and should be funded locally.

### Majority Amendment (2509h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the criteria for evaluating school building aid applications.

Amend the bill by replacing all after the enacting clause with the following:

1 School Building Aid; Approval of Plans. Amend RSA 198:15-c, II(b)(8) to read as follows:

*(8) A school district which initiated and completed a locally funded school renovation project to remedy a safety condition identified by the state fire marshal on or before June 30, 2017 shall be eligible to include any corrected safety condition in a subsequent application for school building aid submitted by the school district after June 30, 2017. This subparagraph shall not apply to a school district or a school that received state emergency funding or other state aid to remedy the safety condition on or before June 30, 2017.*



**(9) The project contributes to operational cost efficiencies, consolidation, or reduced property taxes.**

**(10) The project contributes to improvement of educational services.**

**(11) Any other criteria that the state board of education may determine are necessary.**

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill adds new criteria for the evaluation of a school building aid application.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 198 members having voted in the affirmative and 133 in the negative, the majority committee report was adopted and referred to the Committee on Finance.

**HB 242**, relative to the statewide improvement and assessment program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. The amendment replaces the bill as introduced with the requirement that differentiated aid currently provided to school districts for pupils not proficient in reading on the statewide assessment be extended to also include those pupils not proficient in mathematics. New Hampshire has a higher percentage of partially or non proficient third grade students in mathematics than in reading. Statewide testing results from FY 14 identify 30% of third grade students partially or not proficient in mathematics, while 23% of third grade students are partially or not proficient in reading. Mathematics is a key content area in which elementary school students should experience success and have the proper foundation for middle school, high school, and later careers. Vote 17-3.

#### Amendment (2455h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i)-(j) to read as follows:

(i) At the end of grade 3, to determine if pupils are [reading] at grade level *in reading and mathematics* on a standardized [reading] test to be developed by the department as part of a statewide assessment [system] program.

2 Effective Date. This act shall take effect July 1, 2017.

#### AMENDED ANALYSIS

This bill requires third grade pupils to demonstrate proficiency in the reading and mathematics components of the statewide assessment.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 253**, relative to the requirements for filing a charter school application. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Shaw for Education. The Department of Education determines the criteria and percentages for charter school applications. The applications are thoroughly examined and all criteria is weighed and analyzed with strong emphasis on mission statement and data to support that statement. Vote 14-6. Committee report adopted.

**HB 301**, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the Majority of Education. This bill as amended creates a study committee to further examine the student unique pupil identifier and state department of education databases. Given concerns about transparency and use of personal information, further review is needed. In addition, the committee is to study local school database security and privacy policies. Although legislation has been passed in recent years, there are additional areas that need to be examined especially at the local school level. Vote 12-7.

Rep. Mary Heath for the Minority of Education. The minority believes the establishment of a study committee to study New Hampshire's statewide longitudinal data system is unnecessary. The design of the information collected is specified in state and federal laws and rules. The New Hampshire

House has spent long hours delineating what can and cannot be collected. Testimony from local, state and federal representatives over numerous years has provided volumes of input and suggestions. A dictionary of data and terms is an example of such testimony and is now available. The New Hampshire Department of Education clearly posts all aggregated data. For these reasons, the minority believes this bill is not needed.

### **Majority Amendment (2538h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level data.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the layout and data elements contained in the statewide longitudinal data system and any other department of education maintained database that contains student level data.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties.

I. The committee shall:

(a) Study the design and layout of each state maintained database that contains student level data.

(b) Review the technical specifications that were given to contractors who designed and built each database regarding the data elements to be stored in each database.

(c) Provide transparency by assembling a dictionary of data elements currently being collected and maintained in the statewide longitudinal data system and in any other department of education maintained database that contains student level data.

(d) Study the scope, use, and security of school district databases and privacy policies.

II. The committee may solicit advice and testimony from any individual or organization with information or expertise relevant to the purpose of the committee's study.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

### **AMENDED ANALYSIS**

This bill establishes a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level data.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Heath spoke against.

Rep. Cordelli spoke in favor.

On a division vote, with 184 members having voted in the affirmative and 137 in the negative, the majority committee report was adopted and referred to the Committee on Executive Departments and Administration.

**HB 471**, relative to the powers of the state board of education and the duties of school boards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the Majority of Education. This bill as amended further defines the responsibilities of local school boards. Local school boards shall be responsible for curriculum and courses.

It further establishes that local boards are responsible for their education standards – as long as they believe the standards meet or surpass state standards. This addresses local concerns about Common Core being mandatory. In addition, if at any point statewide assessments are not given in each grade 3 through 8, the local board will be responsible for assessing students in those years. Vote 12-8.

Rep. Mary Heath for the Minority of Education. The minority believes that the bill is simply what is currently the responsibility of a local school district and local school boards. There is no need to establish a new law for something that already exists in rules and statute. It is currently the role of the local school board to establish the structure, advocacy, and delivery of instruction, curricula, courses taught, the adoption of educational standards that meet or exceed state minimum standards, and the assessment thereof. For these reasons, the minority believes that this bill is unnecessary.

### Majority Amendment (2433h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of school boards.

Amend the bill by replacing all after the enacting clause with the following:

1 State Board of Education; Duty to Provide Education. Amend RSA 189:1-a, II to read as follows:

II. *In each school operated and governed in its district, the elected school [boards] board shall be responsible for establishing the structure, accountability, advocacy, and delivery of instruction, the curricula and courses taught, the adoption of educational standards that meet or exceed state minimum standards, and the methods for assessing pupil performance in grades 3-8 for the years in which a statewide assessment is not administered to ensure compliance with the requirements of RSA 193-C [in each school operated and governed in its district].* To accomplish this end, and to support flexibility in implementing diverse educational approaches, a school [boards] board shall establish, in each school operated and governed in its district, instructional policies that establish instructional goals based upon available information about the knowledge and skills pupils will need in the future.

2 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill amends the specific duties of school boards.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Heath spoke against.

Rep. Cordelli spoke in favor.

On a division vote, with 177 members having voted in the affirmative and 131 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 527, establishing guidelines for school districts relative to the use of school resource officers. OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph Boehm for Education. This bill states that school districts that have a school resource officer must have a memorandum of understanding (MOU) with their local police department. The amendment removes all requirements from what should be in the MOU. Different school districts and their towns have different requirements. This bill only notifies towns and school districts, for their own safety, that an MOU needs to be done. Vote 14-6.

### Amendment (2381h)

Amend the title of the bill by replacing it with the following:

AN ACT requiring school districts employing school resource officers to adopt a written agreement.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; State Board of Education; School Resource Officers. Amend RSA 186:11 by inserting after paragraph XXXVI the following new paragraph:

XXXVII. School Resource Officers. Require each school district in the state to which a school resource officer (SRO) is assigned to develop and implement a policy governing the use of a SRO. A school district policy shall include, at a minimum, a requirement for a signed memorandum of understanding between the school district and the law enforcement agency from which the SRO is deployed.

2 Effective Date. This act shall take effect January 1, 2017.

## AMENDED ANALYSIS

This bill requires school districts employing a school resource officer to adopt a written agreement.  
Committee amendment adopted.  
Committee report adopted and ordered to third reading.

**HB 538-FN-L**, relative to the implementation of new statewide education annual assessments. **REFER FOR INTERIM STUDY.**

Rep. Mel Myler for Education. The committee spent considerable time in reviewing the need to allow school districts ample time to transition to new educational standards and the attending student assessment process. There was confusion on the impact of a proper transition period and the need for additional study to fully conclude the transition period necessary that can support local school districts. The committee felt there was more time needed to study the issue of transition time. Vote 11-9.  
Committee report adopted.

**HB 549-FN-A-L**, allowing school building aid grants for certain authorized projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. The continued moratorium on state funding for new school construction and renovation projects is having a negative impact on communities throughout New Hampshire. Well over 50% of New Hampshire's schools (476 buildings total) are over 50 years old. Some buildings have been closed due to declining enrollments, but a large number of school boards are questioning and dealing with the many issues plaguing older buildings that include: life/safety codes, technology requirements, instructional space for the sciences, security issues, special purpose areas for the arts and tutoring, media research centers, and more. There have been a number of projects during the moratorium cycle where communities undertook expensive renovation or new construction without the benefit of state school building aid (SBA) grants. In one year alone, construction bonds to local school districts cost \$176,252,000. These districts did not receive the average SBA contribution of 30% that pre moratorium communities had received. This bill proposes that school building aid be annually set at no less than \$50M. In addition, amending language reduces all percentages within the school building aid formula by 5%. The projected costs of estimated building aid projects for 14/15 approximated \$206.5 million. The state's share under current law would equal \$67.8 million. Including debt payment, and if \$50M is funded, the state would have approximately \$10M for new projects. Combined with a 5% formula reduction, funds may enable another smaller project. The absence of state funding for school building aid is serious and counter productive to maintaining quality education throughout New Hampshire. Vote 17-2.

**Amendment (2514h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to school building aid grants.

Amend the bill by replacing all after the enacting clause with the following:

1 School Building Aid; Grant for School Construction. Amend RSA 198:15-a, IV to read as follows:

IV. Beginning July 1, [2013] **2016**, and every fiscal year thereafter, school building aid grants for construction or renovation projects approved by the department of education shall [~~not exceed~~] **not be less than** \$50,000,000 per fiscal year [~~less any debt service payments owed in the fiscal year, unless otherwise provided by an act of the general court~~]. **In addition, each fiscal year, there is hereby appropriated to the department of education for the purpose of making school building aid grants pursuant to this chapter, an amount equal to the difference between \$50,000,000 and the state operating budget appropriation for building aid-education, account 06-56-56-561010-6019-77. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.** School building aid grants shall be funded from appropriations in the state operating budget and no state bonds shall be authorized or issued for the purpose of funding such school building aid grants.

2 School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(1) to read as follows:

(a)(1) For construction authorized by a school district on or before July 1, 2013, the amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, any receiving district operating an area school as defined in RSA 195-A:1, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into

pursuant to RSA 194:21-a or RSA 194:22, shall be a sum equal to [30] 25 percent of the amount of the annual payment of principal on all outstanding borrowings of the school district, city, cooperative school district, joint maintenance agreement, or receiving district, heretofore or hereafter incurred, for the cost of construction or purchase of school buildings and school administrative unit facilities, or for the cost of acquiring, developing, or renovating any municipally-owned land, buildings, or facilities to be used for school district purposes, to the extent approved by the department of education, provided that any school district may receive an annual grant in the amount of [40] 35 percent for the construction of an educational administration building for a school administrative unit, and provided that the amount of the annual grant in the case of a cooperative school district, a joint maintenance agreement, a receiving district operating an area school, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be [40] 35 percent plus 5 percent for each pre-existing district in excess of 2 and each sending district in excess of one, and provided further that no cooperative school district, joint maintenance agreement, or receiving district operating an area school, shall receive an annual grant in excess of [55] 50 percent.

3 School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(2)(C) to read as follows:

(C) The amount of the grant to any chartered public school established in accordance with RSA 194-B:3-a shall be [30] 25 percent of the eligible cost of construction.

4 School Building Aid; Alternative School Building Aid Grants. Amend RSA 198:15-v, II(b) to read as follows:

(b) For projects approved after July 1, 2013, the amount of the grant to any school district, city, cooperative school district, joint maintenance agreement, or receiving district shall be a sum equal to the percentage of all approved costs for construction or purchase of school buildings according to the following table:

Building Aid Factor Building Aid Grant

0-59	[60] 55 percent
60-69	[55] 50 percent
70-89	[45] 40 percent
90-114	[40] 35 percent
115 or greater	[30] 25 percent

5 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill requires a general fund appropriation equal to the difference between the statutory maximum school building aid grant amount of \$50,000,000 and the state operating budget appropriation for building aid. The bill also amends the percentage of approved project costs for which the state will reimburse a school district.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 611-FN**, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education. **INEXPEDIENT TO LEGISLATE.** Rep. Terry Wolf for Education. This bill calls for approval of agreements and contracts by the entire House and Senate. There are differing levels of oversight through the Finance committees, Joint Legislative Committee on Administrative Rules, and the Executive Council. The committee was concerned that grant money could be lost and the work by the Department of Education could be greatly hindered. Vote 14-5.

Committee report adopted.

**HB 625-FN-A**, relative to public charter schools. **REFER FOR INTERIM STUDY.**

Rep. John Balcom for Education. The Education Committee was in favor of charter schools, but the approval process is flawed and needs a potential change in the process. The bill needs additional work and input from school expertise which could prevent the past failures of approved charter schools. Vote 11-8.

Rep. Cordelli spoke against and yielded to questions.

On a division vote, with 185 members having voted in the affirmative and 135 in the negative, the committee report was adopted.

**SB 157-FN**, relative to encouraging high school students to take and pass a United States citizenship test. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Shaw for Education. The bill as amended requires that a locally developed assessment based upon the nature, structure, function, and history of our government, to include the rights and responsibilities of citizens and noteworthy government and civic leaders, be administered as part of the high school history and government course. Students who attain a passing grade on this assessment as determined by the school shall be eligible to receive a certificate of recognition. To comply with this bill, a school may design or use any assessment to measure student competence of elements identified in the bill, including use of the United State Citizenship and Immigration Service Test. Due to the fact that this assessment is much like any other locally designed test given within the required high school course, there is no expense to the district and no oversight required by the Department of Education. This bill establishes a program that recognizes civic minded students who are ready to understand and participate in our system of government. Vote 14-5.

#### **Amendment (2498h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.

Amend the bill by replacing all after the enacting clause with the following:

1 School Boards; Instruction in National and State History and Government. Amend RSA 189:11 to read as follows:

189:11 Instruction in National and State History and Government.

*I. In all public and private schools in the state there shall be given regular courses of instruction in the history, government and constitutions of the United States and New Hampshire, including the organization and operation of New Hampshire municipal, county and state government and of the federal government. Such instruction shall begin not later than the opening of the eighth grade and shall continue in high school as an identifiable component of a year's course in the history and government of the United States and New Hampshire.*

*II. As a component of instruction under paragraph I, a locally developed competency assessment of United States government and civics that includes, but is not limited to, the nature, purpose, structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders, shall be administered to students as part of the high school course in history and government of the United States and New Hampshire. Students who attain a passing grade on the competency assessment shall be eligible for a certificate issued by the school district. The United States Citizenship and Immigration Services (USCIS) test may be used to satisfy the requirement of this paragraph.*

2 Applicability. The provisions of this act shall only apply to students eligible to receive a high school diploma or high school equivalency certificate on or after January 1, 2017.

3 Effective Date. This act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill requires students in high school or equivalent to take and pass a government and civics competency assessment as a component of instruction in the history, government, and constitutions of the United States and New Hampshire.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Ladd spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 267 NAYS 65**

**YEAS - 267**

**BELKNAP**

Dumais, Russell  
Hurt, George  
Spanos, Peter

Fields, Dennis  
LeBreche, Shari  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

Gallagher, Brian  
Russell, David  
Varney, Peter

**CARROLL**

Buco, Thomas  
Crawford, Karel  
Umberger, Karen

Butler, Edward  
McCarthy, Frank  
Wright, Ted

Chandler, Gene  
McConkey, Mark

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

Ames, Richard  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Berch, Paul  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Eaton, Daniel  
Phillips, Larry  
Sterling, Franklin

**COOS**

Fothergill, John  
Rideout, Leon

Froburg, Alethea  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Rappaport, Laurence

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Hennessey, Erin  
Massimilla, Linda  
Smith, Suzanne

Bailey, Brad  
Darrow, Stephen  
Hennessey, Martha  
Nordgren, Sharon  
Sykes, George

Brown, Chris  
Ford, Susan  
Ingbretson, Paul  
Piper, Wendy  
Townsend, Charles

Brown, Duane  
Gionet, Edmond  
Ladd, Rick  
Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Christie, Rick  
Cote, David  
Estevez, Eric  
Gagne, Larry  
Griffin, Barbara  
Hansberry, Daniel  
Herbert, Christopher  
Infantine, William  
Leishman, Peter  
McClarren, Donald  
Notter, Jeanine  
Pellegrino, Anthony  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Sullivan, Daniel  
Walsh, Robert

Backus, Robert  
Boehm, Ralph  
Coffey, James  
Danielson, David  
Flanagan, Jack  
Goley, Jeffrey  
Guerette, C. Lee  
Hansen, Peter  
Hinch, Richard  
Jack, Martin  
Long, Patrick  
McLean, Mark  
O'Brien, Michael  
Peterson, Ken  
Rosenwald, Cindy  
Shaw, Barbara  
Souza, Kathleen  
Sullivan, Victoria  
Williams, Kermit

Balcom, John  
Byron, Frank  
Cohen, Alan  
DiSilvestro, Linda  
Forest, Armand  
Gonzalez, Carlos  
Haefner, Robert  
Harvey, Suzanne  
Hogan, Edith  
Kurk, Neal  
Mangipudi, Latha  
McNamara, Richard  
O'Neil, William  
Pierce, David  
Rouillard, Claire  
Smith, Gregory  
Stepanek, Stephen  
Takesian, Charlene  
Wolf, Terry

Baroody, Benjamin  
Christensen, Chris  
Cornell, Patricia  
Donovan, Daniel  
Freitas, Mary  
Gould, Linda  
Halstead, Carolyn  
Heath, Mary  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Peggy  
Moore, Josh  
Ohm, Bill  
Porter, Marjorie  
Sanborn, Laurie  
Snow, Kendall  
Straight, Phillip  
Ulery, Jordan  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
French, Harold  
Karrick, David  
Long, Douglas  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Bartlett, Christy  
Deloge, Helen  
Gile, Mary  
Kidder, David  
MacKay, James  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
Doherty, David  
Henle, Paul  
Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Brewster, Michael  
Ebel, Karen  
Hill, Gregory  
Kuch, Bill  
Moffett, Howard  
Rice, Chip  
Shurtieff, Stephen  
Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Cahill, Michael

Allen, Mary  
Berrien, Skip  
Cardon, G. Thomas

Azarian, Gary  
Borden, David  
Chase, Francis

Barnes, Arthur  
Bush, Carol  
Christie, Andrew

Cook, Allen	Cushing, Robert	DeSimone, Debra	Devine, James
DiFranco, Debbie	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francesse, Paula	Friel, William
Gannon, William	Gordon, Pamela	Gordon, Richard	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Heffron, Frank	Hoelzel, Kathleen	Itse, Daniel	Katsakiores, Phyllis
Kolodziej, Walter	Lovejoy, Patricia	Matthews, Carolyn	McBeath, Rebecca
McKinney, Betsy	McMahon, Charles	Milz, David	Moody, Marcia
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Pantelakos, Laura
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Sherman, Thomas	Simpson, Alexis	Sweeney, Joe	Sytek, John
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	Tilton, Rio
Ward, Gerald	Ward, Joanne	Welch, David	Weyler, Kenneth

**STRAFFORD**

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cheney, Catherine	DeLemus, Susan	Graham, Robert	Gray, James
Horrigan, Timothy	Kaen, Naida	Leeman, Don	Mullen, John
Pitre, Joseph	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Treleaven, Susan	Turcotte, Leonard
Wall, Janet	Wuelper, Kurt		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Laware, Thomas	Oxenham, Lee	Rollins, Skip
Schmidt, Andrew	Smith, Steven		

**NAYS - 65**

**BELKNAP**

Aldrich, Glen	Fraser, Valerie	Howard, Jr., Raymond	Sylvia, Michael
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**CARROLL**

Avellani, Lino	Comeau, Ed	Ticehurst, Susan
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**CHESHIRE**

Bordenet, John	Hunt, John	Ley, Douglas	McConnell, James
Pearson, William	Shepardson, Marjorie		

**COOS**

Theberge, Robert

**GRAFTON**

Abel, Richard	Hull, Robert	Johnson, Eric	Maes, Kevin
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**HILLSBOROUGH**

Ammon, Keith	Belanger, James	Biggie, Barbara	Brown, Pamela
Burt, John	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Ferreira, Elizabeth	Gorman, Mary	Lachance, Joseph	Manley, Jonathan
Marston, Dick	Murphy, Keith	O'Brien, William	Ober, Lynne
Ober, Russell	Parison, James	Rice, Kimberly	Scoutsas, Lisa
Simmons, Tammy	Twombly, Timothy	Vann, Ivy	

**MERRIMACK**

Hoell, J.R.	Horn, Werner	Luneau, David	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	





3. Mailing Address if different than in 2 \_\_\_\_\_  
Street

Town or City Zip Code

4. Place and Date of Birth \_\_\_\_\_  
Town or City State

Date \_\_\_\_\_

5. Are you a citizen of the United States? Yes \_\_\_\_\_ No \_\_\_\_\_

If a naturalized citizen, give name of court where and date when naturalized \_\_\_\_\_

6. Place last registered to vote \_\_\_\_\_  
Street Ward Number

7. Name under which previously registered, if different from above \_\_\_\_\_

8. Party Affiliation (if any) \_\_\_\_\_

9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_. I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire.

I understand that to vote in this city/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this city/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

~~[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]~~

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

\_\_\_\_\_  
Date Signature of Applicant

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

(c) The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations at the polling place on the date of a state general election, which shall be in substantially the following form:

Date \_\_\_\_\_

VOTER REGISTRATION FORM

FOR USE AT THE POLLING PLACE ON THE DATE OF THE STATE GENERAL ELECTION

(Please print or type)

1. Name \_\_\_\_\_  
Last (suffix) First Full Middle Name

2. Domicile Address \_\_\_\_\_  
Street Ward Number

Town or City Zip Code

3. Mailing Address if different than in 2 \_\_\_\_\_  
 Street

\_\_\_\_\_ Town or City Zip Code  
 4. Place and Date of Birth \_\_\_\_\_  
 Town or City State

Date \_\_\_\_\_  
 5. Are you a citizen of the United States? Yes \_\_\_\_\_ No \_\_\_\_\_  
 If a naturalized citizen, give name of court where and date when naturalized \_\_\_\_\_

6. Place last registered to vote \_\_\_\_\_  
 Street Ward Number

7. Name under which previously registered, if different from above \_\_\_\_\_

8. Party Affiliation (if any) \_\_\_\_\_

9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_. I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire.

I understand that to vote in this city/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this city/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

~~[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]~~

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date	Signature of Applicant
If this form is used in place of proof of identity, age, citizenship, or domicile, I hereby swear that such information is true and accurate to the best of my knowledge.	
This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):	
Identity	yes/no _____ (initials)
Citizenship	yes/no _____ (initials)
Age	yes/no _____ (initials)
Domicile	yes/no _____ (initials)

Applicant	Election Official
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Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Reps. Hoelzel and Moynihan spoke in favor.

On a division vote, with 280 members having voted in the affirmative and 44 in the negative, floor amendment (3030h) was adopted.

Majority committee report adopted and ordered to third reading.

## **REMOVED FROM THE CONSENT CALENDAR**

### **SPECIAL ORDER**

**HB 405-FN**, requiring the department of health and human services to license supervised visitation centers.

### **INEXPEDIENT TO LEGISLATE.**

Rep. Caroletta Alicea for Children and Family Law. Currently, the criteria to obtain licensing for supervised visitation centers have not yet been written and there is no designated entity to perform the licensing. The committee believes that funding, which is not available, would be necessary to institute licensing. Vote 16-0.

Rep. DeSimone spoke in favor and yielded to questions.

Rep. Oigny spoke against, yielded to questions and requested a roll call; not sufficiently seconded.

On a division vote, with 228 members having voted in the affirmative and 91 in the negative, the committee report was adopted.

Rep. Peterson declared a conflict of interest and did not participate in the vote.

## **RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, January 7, 2016 at 10:00 a.m.

## **LATE SESSION**

### **Third Reading and Final Passage**

**HB 114**, establishing beer specialty licenses.

**HB 356**, establishing a commission to study cryptocurrency regulation.

**SB 64**, relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.

**HB 110**, relative to placement of political advertising.

**HB 659-FN-L**, relative to eligibility for an absentee ballot.

**HB 466**, relative to farm tractor plates for certain specialized vehicles.

**HB 377**, establishing a state geographic information system committee.

**SB 227**, relative to calculating the cost of an adequate education.

**SB 265-FN**, establishing the achieving a better life experience (ABLE) savings account program.

**HB 629-FN**, relative to induced termination of pregnancy statistics.

**SB 45**, establishing a committee to study opioid use in workers' compensation cases.

**HB 295**, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

**HB 351**, exempting historically significant vehicles from emission control requirements.

**HB 535-FN**, relative to signs advising motorists approaching highway emergencies.

**SB 144**, relative to carry-over coverall bingo and shared carry-over coverall bingo.

**HB 513**, relative to complaint investigation procedures of the guardian ad litem board.

**HB 197-FN**, relative to sales and samples provided by wine manufacturers.

**HB 601-FN**, relative to cash dispensing machine requirements.

**SB 110-FN**, establishing the administrative supervision act.

**HB 504**, relative to online driver education.

**HB 512**, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.

**HB 536**, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.

**HB 582-FN**, repealing the license requirement for carrying a concealed pistol or revolver.

**HB 605-FN**, relative to mandatory minimum sentences.

**HB 617-FN-A**, requiring state police to wear a camera when interacting with the public.

**HB 471**, relative to the duties of school boards.

**HB 527**, requiring school districts employing school resource officers to adopt a written agreement.

**SB 157-FN**, requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.

**HB 183**, relative to voter registration forms.

### UNANIMOUS CONSENT

Rep. Welch requested Unanimous Consent of the House regarding New Hampshire having the oldest state constitution.

Rep. Welch addressed the House.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 4:35 p.m.

### RECESS

#### (Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.

Motion adopted.

**HOUSE JOURNAL NO. 2**

Thursday, January 7, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Rabbi Robin Nafshi of Temple Beth Jacob in Concord. Our God, and the God of all people: God of the poor and God of the powerful; God of the rich and God of the wretched; God of hubris and God of humility; God of those who believe and God of those who are beleaguered; God of those who have no God: We come together this morning – in this place of privilege and power – to pray on behalf of those who have been chosen to lead our great State of New Hampshire. On this day of deliberation, may You open our eyes so that we might see the possibilities that lie in front of us. May we hear the cries of those who are in pain – who suffer from the inequities and inequalities that plague our cities and towns. And may we hear the exuberance of those who are inspired by hope and the promise of tomorrow. May this be a day of transformation. May you, our legislators, find ways to connect with one another – to build bridges of cooperation and collaboration that break down the barriers of political isolation and one-upmanship. May every disagreement that occurs in this room be for the sake of a common vision of a path to improve our State – to improve our communities – to improve this sacred chamber – to improve ourselves. May you treat one another with dignity and respect. May you heed God's call to avoid lashon hara – hateful speech – as God teaches that such speech damages the speaker, the hearer, and the person about whom the speaker speaks. God, You have given us the ability to learn and to grow. May we strive to accept the individual gifts that we all bring to our collective work. May we treasure the possibilities that emerge from our deliberations. And may the work that we do bring us one more step closer to the perfection of Your all too imperfect world. Help us to see Your presence wherever we gaze. Forgive us for our weaknesses. Push us to go beyond our limitations. God, help these men and women work together to do the vitally important work of shepherding our great state of New Hampshire toward a path of compassion and wholeness. Heal our divisions. And let us say: Amen.

Representative June Frazer, member from Concord, led the Pledge of Allegiance.

The National Anthem was sung by Brooke Mills, a student at Concord High School.

**LEAVES OF ABSENCE**

Reps. Ronald Belanger, Cynthia Chase, Donovan, Doucette, Emerson, Barbara French, Kellogg, Knowles, Major, Priestley, Chip Rice, Sanders, Stephen Schmidt, Seidel and Douglas Thomas, the day, illness.

Reps. Abramson, Bailey, Baroody, Barry, Bennett, Booras, Bouldin, Duane Brown, Rebecca Brown, Butler, Crawford, DiSilvestro, Fisher, Friel, Fromuth, Gardner, Goulette, Haefner, Hagan, Martha Hennessey, Higgins, Hill, Hirsch, Kenison, McBeath, Milz, Nigrello, William O'Brien, O'Connor, O'Hearne, O'Neil, Oligny, Packard, Piper, Russell, Sad, Marjorie Smith, Suzanne Smith, Timothy Smith, Southworth, Sterling, Stevens, Joe Sweeney, Tamburello, True, Verschueren and Zaricki, the day, important business.

Reps. Cohen and Ferrante, the day, illness in the family.

Rep. Jeudy, the day, death in the family.

**INTRODUCTION OF GUESTS**

Hannah Rowe, granddaughter of Rep. Rowe, and Isabel Cullen, students at Souhegan High School, Pages for the day.

Ernest Kastning, guest of Rep. Kuch. Alexander Roubian and Alan Rice, guests of Reps. Hoell and Burt. Stephanie Mills and Patricia Voisy, mother and grandmother of the singer, guests of the Concord Delegation. Andrew Rowe, son of Rep. Rowe. Sarah Jasper, daughter and guest of the Speaker.

**SPECIAL GUEST PRESENTATION**

The Honorable Jim Gilmore, former Governor of the Commonwealth of Virginia, and 2016 Presidential candidate, addressed the House.

**REGULAR CALENDAR CONT'D FROM JANUARY 6, 2016**

**HB 372**, relative to certain private employers under workers' compensation. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John O'Connor for the Majority of Environment and Agriculture. This bill solves a problem for small entrepreneurial farmers who find the need to use occasional or casual labor a few hours a week, perhaps on a weekend, to perform tasks such as overseeing a U-pick plot, harvesting remaining fruit, or picking up pumpkins. Currently, they are required to purchase yearly workers compensation insurance for such labor. This bill allows the farmer/owner to be exempted from this requirement, provided the farmer/owner has an aggregated payroll of less than \$10,000 per year and is covered by a liability insurance policy of not less than \$300,000 and medical payment coverage of not less than \$5,000. Vote 15-2.

Rep. Christy Bartlett for the Minority of Environment and Agriculture. This bill would allow Employers Liability (EL) in place of Workers' Compensation (WC) for small farmers. The issue is whether EL provides adequate coverage for an injured employee in a hazardous job, for which all agree that many farm operations include. EL requires that the injured employee prove negligence on the part of the employer, which could require the hiring of an attorney by the employee. The insurance carrier only represents the interests of the employer and has a limit of liability coverage, above which there would be no additional coverage. WC provides no-fault coverage for medical costs, loss of income, a survivor and death benefit, and re-training if necessary. The insurance carrier handles the claim with the injured employee from the time of notice. Farm operations have many tasks, some of which can be very hazardous and some employees could be quite young. Handling of large animals such as swine, horses, and cows are included in the classification. Operating farm machinery may also be done without a great deal of training for occasional employees. Even small farms have tractors and other equipment, and many small farms do not own new equipment with modern safety features. In addition, there are no monoline Employers Liability insurance carriers. Coverage would only be obtainable as part of a farmowner policy; which, again, is a very limited market in NH with few insurance companies writing this coverage. Many small farmers are unlikely to purchase a farmowners policy due to the increased cost. For little, if any, premium savings, this bill would not adequately protect an injured employee. The limits of an Employers Liability policy may also not protect the assets of the employer/farmer.

**MOTION TO LAY ON THE TABLE**

Rep. Hinch moved that **HB 372**, relative to certain private employers under workers' compensation, be laid on the table.

Motion adopted.

**REGULAR CALENDAR CONT'D**

**HB 499**, permitting New Hampshire farmers to sell certain farm raised animals directly to the public. **OUGHT TO PASS WITH AMENDMENT.**

Rep. George Saunderson for Environment and Agriculture. This bill as amended would enable farmers who raise bison, a species exempt from US Department of Agriculture (USDA) inspection requirements, to put the animal down at the farm, have it butchered at a federally inspected custom exempt facility, and then directly sell the meat to consumers at his or her farm, farm stand, farmers' markets, or to restaurants. Keeping in mind the importance of food safety, the committee thoroughly studied this issue and crafted an amendment that adequately protects the consumers of New Hampshire, while at the same time encouraging the production and accessibility of local food within the state. Vote 15-2.

**Amendment (2473h)**

Amend the title of the bill by replacing it with the following:

AN ACT permitting New Hampshire farmers to sell farm-raised bison directly to the public.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Food Service Licensure; Exemption; Bison. Amend RSA 143-A:5 by inserting after paragraph VIII the following new paragraph:

IX. A farm owned or operated by any person, firm, or corporation that raises bison and sells bison for human consumption, and the direct sale within this state of the carcasses, parts, meat, and meat food products of such animals to the consumer from such farm, at the producer's farm stand, and by the producer at farmers' markets and licensed restaurants.

2 New Paragraph; Meat Inspection; Exemption; Bison. Amend RSA 427:16 by inserting after paragraph IV the following new paragraph:

V. The slaughter of bison shall be exempt from the provisions of this subdivision requiring inspection of the slaughter of animals and preparation of the carcasses, parts thereof, meat and meat food products for sale within this state to the public. The slaughter of the bison shall be permitted only:

- (a) When the owner of the bison designates a slaughter area on the farm premises.
- (b) When the bison is slaughtered humanely under RSA 427:33 by the owner or the owner's full time or seasonal employee.
- (c) From September 1 to April 30.
- (d) When no more than 12 hours passes from the time of slaughter to the placement of the carcass in a refrigerated facility.
- (e) When a veterinarian licensed under RSA 332-B conducts an ante-mortem inspection of each bison on the day of slaughter, witnesses the slaughter, conducts a post-mortem inspection of the carcass, and documents his or her inspection in a report on forms provided by the state veterinarian.
- (f) When the veterinarian and owner shall make a report of the slaughter which contains the following:

- (1) Name, address, phone number of animal owner.
- (2) Identification number on animal (to assure same carcass arrives at butcher).
- (3) Date, time, location of examination.
- (4) Statement that the examination was visual.
- (5) Live animal was examined both at rest and in motion.
- (6) Ante-mortem examination stating live animal is free from any observed abnormalities, including but not limited to:
  - (A) No observed lameness, stiffness, abnormal body positions (e.g. tucked abdomen, arched back, extended neck or tail, etc).
  - (B) No abnormal discharges or odors.
  - (C) No blisters or vesicles observed.
  - (D) No abnormal growths, swellings, enlargements, injuries, loss of hair or other skin lesions, infestations (e.g. maggots), labored breathing, diarrhea.
  - (E) Animal did not appear abnormally nervous or restless, excessively anxious or upset, depressed, disinterested, blind.
  - (F) Animal did not stagger, circle, head press, salivate excessively, rub or scratch excessively.
  - (G) Both eyes present and normal.
- (7) Post-mortem examination stating carcass is free from any observed abnormalities, including:

- (A) Mouth, tongue, eyes appear normal.
- (B) Lymph nodes appear normal.
- (C) No observed lumps, bumps, growths.
- (D) No abnormal odors or discharges.
- (E) No adhesions or ongoing infectious processes.
- (8) This statement: "A veterinarian licensed to practice in the state shall be held harmless from either criminal or civil liability for any decisions made for services rendered in good faith under the provisions of RSA 427:16, V. Such a veterinarian is, therefore, protected from a lawsuit for his or her part in any illness, product quality failure, or other concern resulting from the products of this animal." Liability for any illness or product quality failure shall rest solely and completely with the animal owner.

(9) A certification by the animal owner that this animal is free from antibiotic, dewormer, and chemical residues, and that the label instructions were followed regarding the withdrawal of such substances.

(10) Signature blocks for both the veterinarian and the animal owner.

(g) When such animal is transported to and processed at a facility that is eligible to conduct custom exempt activities as regulated by the United States department of agriculture pursuant to 21 U.S.C. section 23(a) and associated departmental regulations.

(h) When the owner of the bison shall retain the original copy of the report made in subparagraph (f). A copy of such report shall accompany the bison carcass to the processing establishment. The processing establishment shall retain a copy of the report for one year. For purposes of this paragraph, a processing establishment includes professional meat cutters which are open year round.



(i) If bison meat is ground for sale, then it shall be tested by the processing establishment for *Escherichia coli* and *Salmonella* at the bison owner's expense.

3 New Subdivision; Meat from Bison; Labeling. Amend RSA 143-A by inserting after section 17 the following new subdivision:

Meat from Bison

143-A:18 Labeling; Meat from Bison. All packaging containing carcasses, parts, meat, and meat food products of bison exempt from the requirements of RSA 427 sold by a farm shall be clearly labeled to include a description of the product, the name, address, and telephone number of the farm where the product originates, and the date of slaughter.

143-A:19 Purchase of Uninspected Bison by Licensed Restaurants.

I. A licensed restaurant may purchase uninspected, processed, bison from bison producers exempt from the requirements of RSA 427. All packaging containing uninspected bison shall be clearly labeled to include, but not be limited to, the following information: the name and address of the farm where the product originates and the date of slaughter.

II. For at least 90 days from the date of each purchase, the licensed restaurant shall keep on file the receipt of purchase to include the product purchased, the date of purchase, the name of the producer, the name and address of the farm, and phone number.

III. The licensed restaurant shall clearly label any menu item containing uninspected bison with the following statement: "This product has been raised and processed on a New Hampshire farm and is exempt from state and federal inspection."

4 New Subdivision; Meat from Bison; Labeling. Amend RSA 427 by inserting after section 59 the following new subdivision:

Meat from Bison

427:60 Labeling; Meat from Bison. All packaging containing carcasses, parts, meat, and meat food products of bison exempt from the requirements of RSA 427 sold by a farm shall be clearly labeled to include a description of the product, the name, address, and telephone number of the farm where the product originates, and the date of slaughter.

5 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill allows the sale of bison meat and meat food products to the public.

This bill also describes the inspection process for sellable bison meat.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

### MOTION TO SPECIAL ORDER

Rep. Andrew Christie moved that **HB 475**, prohibiting the state from engaging in acts of civil forfeiture, be made a Special Order immediately following action on **HB 636-FN**, relative to forfeiture of property, from the Committee on Judiciary.

### REGULAR CALENDAR CONT'D

**HB 488**, relative to an abusive work environment and the health and safety of public employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill establishes a commission to develop a policy for NH state agencies to prevent abusive work environments. Governor Hassan adopted a 'Respect in the Workplace Initiative' in May 2015 designed to ensure that disrespectful behavior is addressed immediately when it is detected. The sponsor and the committee agree that employee conduct is more appropriately addressed by internal policies rather than legislation. Therefore, all agree that this bill is not necessary. Vote 12-0.

Committee report adopted.

**HB 533**, relative to arc-fault circuit-breaker protection in residential construction. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. J.R. Hoell for the Majority of Executive Departments and Administration. The bill as amended will allow an exception to the electrical code under certain circumstances. Arc fault circuit interrupter (AFCI) devices are designed to disable an electrical circuit that is experiencing electrical arcs. These sensitive devices frequently trip when no fault exists, leading to homeowner frustra-

tion or worse, the disabling of critical or life-safety equipment. Unlike ground fault interrupter (GFI) devices, AFCIs can trip when a motor turns on (refrigerator, vacuum, medical equipment, etc.). This bill will grant an exception to the building code in that it allows an electrician to replace an AFCI circuit breaker with a standard breaker when the homeowner is experiencing problems. Replacement can occur only after the integrity of the circuit has been confirmed and the possibility of faults have been eliminated. The bill does not remove the requirement for the installation of AFCI devices from the code, but allows their removal only when problems are being experienced. The bill requires code enforcement officials to be notified when an AFCI device has been removed. Vote 6-5.

Rep. Peter Schmidt for the Minority of Executive Departments and Administration. This bill deals with a very difficult and subtle issue: how to protect the general public while still allowing for an exception from code requirements in appropriate cases, when working with modern safety developments in electrical technology. The case in point involves the arc-fault circuit interrupter (AFCI), a relatively new electric circuit protection device currently required in new construction in NH. The ED&A Committee heard persuasive testimony relative to an elderly NH resident with severe respiratory problems requiring her to use an oxygen generator, i.e. a clear life-safety issue. Her oxygen device caused frequent nuisance tripping of the AFCI in her bedroom circuit, which resulted in onerous and unacceptable conditions for her to reset the AFCI and continue use of her oxygen generator. As introduced, this bill was unacceptably wide-ranging in the committee's view, but the matter required remediation, as well. An ED&A subcommittee met some 10 times with stakeholders from affected sectors. The minority recognizes the good work of all involved, but believes the issue is best left in the hands of the oversight boards of the relevant trades, which can act with much faster and more expert remedial steps.

### **Majority Amendment (2515h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to installation requirements for arc-fault circuit interrupters.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; New Hampshire Building Code; Installation of Arc-Fault Circuit Interrupters; Exception. Amend RSA 155-A by inserting after section 3-b the following new section:

155-A:3-c Installation of Arc-Fault Circuit Interrupters (AFCI); Exception. Notwithstanding any provision of the state building code or state fire code requiring the installation of arc-fault circuit interrupters, after repeated tripping of an AFCI device and determination the branch circuit is not causing the AFCI to trip, an AFCI device may be replaced with one without AFCI protection in accordance with this section.

I. All receptacle outlets supplied by the branch circuit without AFCI protection shall be marked "No AFCI Protection."

II. Incident reports shall be filed by registered letter or email with a read receipt requested:

(a) By the property owner to all occupants as applicable; and

(b) By the electrician with the electricians' board if he or she is performing the replacement.

III. The time periods for the AFCI device replacement and incident reporting shall be as follows:

(a) The device without AFCI protection shall be permitted to remain in place for the period of time it takes for the manufacturer to resolve the matter.

(b) The incident report shall be postmarked within 5 working days or by email with an electronic read receipt request within 5 working days of replacing the AFCI device.

2 Effective Date. This act shall take effect January 1, 2017.

### **AMENDED ANALYSIS**

This bill permits an arc-fault circuit interrupter (AFCI) device to be replaced with a device without AFCI protection in certain circumstances.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Peter Schmidt spoke against.

Rep. Proulx spoke in favor and yielded to questions.

On a division vote, with 204 members having voted in the affirmative and 104 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 602-FN, relative to the use of drones. OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. Drones have a number of very reasonable and beneficial uses for the purposes of commerce, law enforcement and government. They are also becoming increasingly popular among hobbyists. In fact, it is estimated that 1 million drones will be sold during the holiday season this year. HB 602 as amended is the first step in codifying some basic drone regulation at the state level. The bill is designed to establish sensible standards for public and private drone users that balance the many social and economic benefits with the need to protect public and private property and individual privacy rights. Vote 12-0.

**Amendment (2493h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Drones. Amend RSA by inserting after chapter 644 the following new chapter:

**CHAPTER 644-A****DRONES**

644-A:1 Definitions. In this chapter:

- I. "Airspace" means the space above the ground in New Hampshire.
- II. "Automated surveillance" means surveillance employing a mechanical or electronic device, computer or software, including but not limited to facial recognition technology, that functions continuously without continuous input from a human operator.
- III. "Commercial purpose" means to exchange for money, goods or services or to exchange with the intention of directly or indirectly benefiting any business or other undertaking intended for profit.
- IV. "Critical infrastructure" means a petroleum or chemical production, transportation, storage or processing facility; a chemical manufacturing facility; a pipeline and any appurtenance thereto; a wastewater treatment facility; a water treatment facility; a power generating station, plant or substation and any appurtenance thereto; any transmission line that is owned in whole or in part by a utility regulated under state law; a telecommunications central switching office; a flood control, hydroelectric power generation or water supply dam or reservoir; a county, city, or town jail or detention facility, police station or fire station; and any prison, facility, or institution under the control of the department of corrections. The term shall not include any facility or infrastructure of a utility that is located underground.
- V. "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:
  - (a) Does not carry a human operator;
  - (b) Uses aerodynamic forces to provide vehicle lift;
  - (c) Can fly autonomously or be piloted remotely; and
  - (d) May be expendable or recoverable.
- VI. "Government" means the federal government, the state government and any political subdivisions thereof, and state and municipal agencies and departments, including employees and agents.
- VII. "Image" means a record, including a photograph, of thermal, infrared, ultraviolet, visible light, or other electromagnetic waves; sound waves; odors; or other physical phenomena which captures conditions existing on or about real property or an individual located on that property.
- VIII. "Imaging device" means a mechanical, digital, or electronic viewing device; still camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable of recording, storing, or transmitting an image.
- IX. "Individual" means a living human being.
- X. "Information" means any evidence, images, sounds, or data gathered by a drone.
- XI. "Law enforcement agency" means a lawfully established state, county, or municipal agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of the criminal laws.
- XII. "Law enforcement officer" means a duly sworn employee of a law enforcement agency who is invested with the power of arrest or the detection of crime.
- XIII. "Person" means individuals, partnerships, limited liability companies, corporations and any other organizations, including for-profit and not-for-profit entities, but excluding government.
- XIV. "Surveillance" means the willful act of tracking or following, while photographing, taking images of, listening to, or making a recording of: (a) a recognizable individual or a group of individuals, including their movements, activities or communications, or (b) motor vehicles identifiable by their license plates. The term does not include such activities on real estate in which a person has a legal interest.

## 644-A:2 Government Use of Drones Limited; Exceptions.

## I. Except as provided in paragraph II:

(a) No government shall use a drone, or obtain, receive, use, or retain information acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws;

(b) No government shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air; and

(c) No government shall operate a drone at a height of less than 250 feet over privately-owned real property unless it has the consent of its owner.

II.(a) Notwithstanding the provisions of paragraph I, a government may use a drone, or obtain, receive, use, or retain information acquired by or through a drone, for law enforcement purposes under the following conditions only:

(1) If surveillance is undertaken, with the prior consent of the person who is the subject of surveillance and the owner or lessee of the property which is the subject of the surveillance.

(2) If a government first obtains a search warrant signed by a judge and based on probable cause or the use of a drone is pursuant to a legally-recognized exception to the warrant requirement. A search warrant authorizing the use of a drone shall specify the period for which operation of the drone is authorized, which period shall not exceed 10 days unless subsequently renewed by a judge.

(3) If a government possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to forestall the imminent escape of a suspect, or the destruction of evidence, or to assist in locating missing, abducted or lost individuals, hunters or hikers, or to rescue persons in natural disasters, injured persons or persons in need of medical assistance.

(4) To counter a high risk of a terrorist attack or incident by a specific individual or organization which the United States Department of Homeland Security determines that credible intelligence indicates that there is such a risk.

(5) To increase situational awareness in understanding the nature, scale, and scope of an incident which has occurred and for planning and coordinating an effective and legal response, provided the incident is limited geographically and in time.

(6) To support the tactical deployment of law enforcement personnel and equipment in emergency situations.

(7) To document a specific crime scene, traffic crash scene or other major incident scene, such as a disaster caused by natural or human activity, provided such documentation is conducted in a geographically confined and time-limited manner.

(8) For purposes of training law enforcement officers or others in the proper, safe, and legal use of drones.

(b) A government which uses a drone, or obtains, receives, uses or retains information acquired by or through a drone, pursuant to paragraph II may do so only if (i) specifically authorized by the chief law enforcement officer of a law enforcement agency, or a supervisor designated by the chief law enforcement officer, (ii) is not operated in an unsafe manner and (iii) is not operated in violation of United States Federal Aviation Administration regulations.

(c) The use of a drone by a government under subparagraphs II(a)(4) shall be limited to a period of 48 hours of its initial use after which a search warrant or other court order signed by a judge shall be required. The use of a drone by a government under subparagraphs II(a)(5)-(8) shall be limited to a period of 48 hours of its initial use after which reauthorization shall be required.

(d) Within 5 business days of the initiation of the use of a drone under paragraph II(a), the government shall report in writing the use of a drone to the attorney general who shall annually post such reports on the department of justice website in a searchable format.

III. Unless the fact of a violation is being disputed, information obtained by a government in violation of paragraphs I and II shall, within 12 hours after the discovery of the violation, be permanently and irretrievably destroyed, shall not be transferred to another government or person, shall not be admissible in any judicial or administrative proceeding and shall not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed.

IV. Images of identifiable individuals obtained by a government pursuant to paragraphs I or II shall be blurred, deleted or otherwise de-identified as soon as practicable but in any case within 30 days after being obtained unless such images may be evidence in a criminal investigation.

V. No government shall own, use, or exercise control over a drone that is equipped with any kind of lethal or non-lethal weapon.

VI. Notwithstanding paragraph V, a law enforcement agency may use a drone to disperse lachrymatory agents to quell a violent mass civil disorder or riot as defined in RSA 644:1 where:

(a) The purpose of the use of the chemical agent is to disperse the crowd and the use of other lesser forms of force have been exhausted, are unavailable, or would be clearly ineffective;

(b) The agency has obtained a court order authorizing its use or there is such an imminent or ongoing threat to life, serious bodily injury, arson, ongoing looting, or substantial damage to property that exigent circumstances require immediate action to prevent further serious harm that would be reasonably likely to occur in the time that it would take to obtain a court order;

(c) The crowd has ignored, failed, or refused to disperse after being given a lawful order to disperse or withdraw given immediately prior to the use of the chemical agent;

(d) The wind speed and direction and other climatic conditions are such that it is likely the dispersion of the chemical agent will be confined to the immediate area of the riot or illegal gathering, time has been provided for the crowd to disperse, and the effect of chemical agent on uninvolved persons who might experience an abnormally adverse reaction to the agent is taken into consideration; and

(e) The dispersal method used by a drone is restricted to powder or aerosol form and shall not include tear gas projectiles, canisters, or barricade piercing projectiles fired into rioters from the air.

VII. A government that owns, uses, or exercises control over a drone that causes injury to a person or a person's property shall be liable for such injury.

VIII. A government that owns, uses, or exercises control over one or more drones shall annually on July 1 submit a written or electronic report to the attorney general containing information on the number of such drones, the number of times each such drone was used during the prior year and, in general terms, the purpose of each such use. The attorney general shall annually post such reports on the department of justice website in a searchable format.

#### 644-A:3 Non-government Use of Drones Limited; Exceptions.

I. No person shall use a drone to engage in automated surveillance.

II. No person shall use a drone to engage in surveillance for commercial purposes without the prior consent of each affected person and each owner or possessor of affecting buildings or structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the buildings or structures were not marked with a no-trespassing sign or similar notice.

III. No person shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in which the person does not have a legally-recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

IV. No person shall:

(a) Operate a drone within a horizontal distance of 500 feet or a vertical distance of 400 feet from critical infrastructure without the written consent of the owner of the critical infrastructure;

(b) Allow a drone to make contact with critical infrastructure facility, including any individual or object on the premises of or within the critical infrastructure; or

(c) Allow a drone to come within a distance of a critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility or its occupants.

V. No person shall own, use, or exercise control over a drone that is equipped with any kind of lethal or non-lethal weapon. This prohibition shall not apply to a person who is a federal government military contractor using or exercising control over a drone which is equipped with a non-lethal weapon and which is flying over real property in which the person has a legal interest.

VI. Any person that owns, uses, or exercises control over a drone in this state that causes injury to a person or a person's property shall be liable for the injury.

VII. No person shall use a drone to harass or stalk another person.

VIII. No person shall operate a drone at a height of less than 250 feet over privately-owned real property unless the person has the consent of its owner.

644-A:4 Airport Prohibition. No government or person shall operate a drone within 5 miles of any airport in this state in a manner that does not comply with relevant federal law and Federal Aviation Administration regulations and guidelines in effect at the time.

644-A:5 Identification. Each owner of a drone shall identify the drone with the owner's name, address and telephone number in permanent ink in a font size not less than 12 picas.

644-A:6 General Prohibition. Except as otherwise provided in this chapter, no government shall use an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual's reasonable expectation of privacy without his or her consent, nor shall any person use an imaging device to record an image of an identifiable individual on privately-owned real property in which the person does not have a legally-recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

644-A:7 Federal Preemption. If federal law preempts any provision of this chapter, that provision shall not apply.

644-A:8 Construction. This chapter shall be construed to provide the greatest possible protection of the privacy of the people of this state. Nothing in this chapter shall be construed to impose liability in connection with newsgathering activity.

644-A:9 Penalties.

I. A government employee or agent who violates RSA 644-A:2, other than the reporting requirements in 644-A:2, II(c) and 644-A:2, VIII, shall be guilty of a class A misdemeanor. A government employee or agent who violates the reporting requirements in RSA 644-A:2, II(c) or 644-A:2, VIII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent offense.

II. A government which violates RSA 644-A:2 may be subject to a civil penalty of up to \$10,000 which shall be deposited in the general fund of the state.

III. A person who suffers damages or injury caused by a government's use of a drone pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment, court costs, and reasonable attorney's fees from the government. No claim for pain and suffering, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, or consortium, or other non-pecuniary losses shall be compensable under this chapter. This paragraph shall not be construed as a waiver of the sovereign immunity of the state.

IV. A person who violates RSA 644-A:3, I-VII shall be guilty of a class A misdemeanor.

V. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person who committed the violation of not less than \$1,000 and an award of reasonable attorney fees.

VI. In addition to any other remedies allowed by law, a person who willfully gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$1,000 and an award of reasonable attorney fees.

2 Effective Date. This act shall take effect July 1, 2016.

### AMENDED ANALYSIS

This bill regulates the use of drones by government agencies and individuals. It establishes criminal penalties and civil remedies for violations of the law.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Hoell spoke against.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Edwards requested a roll call; sufficiently seconded.

**YEAS 246 NAYS 66****YEAS - 246****BELKNAP**

Dumais, Russell  
Gallagher, Brian

Fields, Dennis  
LeBreche, Shari

Flanders, Donald  
Tilton, Franklin

Fraser, Valerie

**CARROLL**

Buco, Thomas  
McCarthy, Frank  
Ticehurst, Susan

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Pearson, William  
Tatro, Bruce

Ames, Richard  
Ley, Douglas  
Roberts, Kris  
Tilton, Benjamin

Berch, Paul  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Bordenet, John  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Richardson, Herbert  
Thomas, Yvonne

Froburg, Alethea  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

Rappaport, Laurence  
Tholl, John

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Ladd, Rick  
Shackett, Jeffrey

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Sykes, George

Brown, Chris  
Gionet, Edmond  
Massimilla, Linda  
Townsend, Charles

Cooney, Mary  
Hennessey, Erin  
Nordgren, Sharon  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Coffey, James  
Ferreira, Elizabeth  
Gagne, Larry  
Gould, Linda  
Hansen, Peter  
Hinch, Richard  
Jack, Martin  
Long, Patrick  
McNamara, Richard  
Ohm, Bill  
Peterson, Ken  
Rice, Kimberly  
Rowe, Robert  
Shaw, Barbara  
Straight, Phillip  
Ulery, Jordan  
Wolf, Terry

Balcom, John  
Brown, Pamela  
Cornell, Patricia  
Flanagan, Jack  
Gargas, Carolyn  
Griffin, Barbara  
Harvey, Suzanne  
Hogan, Edith  
Kurk, Neal  
Mangipudi, Latha  
O'Brien, Michael  
Palmer, Barry  
Pierce, David  
Roberts, Carol  
Sanborn, Laurie  
Smith, Gregory  
Sullivan, Daniel  
Vann, Ivy  
Woodbury, David

Beaulieu, Jane  
Byron, Frank  
Cote, David  
Forest, Armand  
Goley, Jeffrey  
Guerette, C. Lee  
Heath, Mary  
Hopper, Gary  
LeBrun, Donald  
Manley, Jonathan  
Ober, Lynne  
Parison, James  
Porter, Marjorie  
Rosenwald, Cindy  
Scotsas, Lisa  
Snow, Kendall  
Takesian, Charlene  
Walsh, Robert

Belanger, James  
Christensen, Chris  
Danielson, David  
Freitas, Mary  
Gorman, Mary  
Hansberry, Daniel  
Herbert, Christopher  
Infantine, William  
Leishman, Peter  
McCarthy, Peggy  
Ober, Russell  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Shattuck, Gilman  
Soucy, Timothy  
Twombly, Timothy  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Harold  
Karrick, David  
Long, Douglas

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kidder, David  
Luneau, David

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kotowski, Frank  
MacKay, James

Carson, Clyde  
Frazer, June  
Horn, Werner  
Kuch, Bill  
Marple, Richard

Moffett, Howard  
Ratzki, Mario  
Shurtleff, Stephen

Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Parent, Jason  
Saunderson, George  
Wallner, Mary Jane

Patten, Dick  
Schuett, Dianne  
Walsh, Thomas

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Katsakiores, Phyllis  
Manning, John  
Pantelakos, Laura  
Rice, Frederick  
Sytek, John  
Ward, Joanne  
Woitkun, Steven

Allen, Mary  
Borden, David  
Christie, Andrew  
Devine, James  
Fesh, Robert  
Green, Dennis  
Heffron, Frank  
Kolodziej, Walter  
Matthews, Carolyn  
Peckham, Michele  
Schroadter, Adam  
Tilton, Rio  
Webb, James

Azarian, Gary  
Cahill, Michael  
Cook, Allen  
DiFranco, Debbie  
Francese, Paula  
Griffin, Mary  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McKinney, Betsy  
Potucek, John  
Sherman, Thomas  
Vose, Michael  
Welch, David

Barnes, Arthur  
Cardon, G. Thomas  
Cushing, Robert  
Elliott, Robert  
Gordon, Pamela  
Guthrie, Joseph  
Introne, Robert  
Lundgren, David  
Moody, Marcia  
Prudhomme-O'Brien, Katherine  
Simpson, Alexis  
Ward, Gerald  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Graham, Robert  
Mullen, John  
Spang, Judith  
Sullivan  
Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Beaudoin, Steven  
Cheney, Catherine  
Gray, James  
Pitre, Joseph  
Sprague, Dale

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Bickford, David  
Cilley, Jacalyn  
Kaen, Naida  
Rollo, Deanna  
Treleaven, Susan

Gottling, Suzanne  
Oxenham, Lee

Bixby, Peter  
DiSesa, Len  
Leeman, Don  
Schmidt, Peter  
Wall, Janet

Grenier, James  
Rollins, Skip

### NAYS - 66

### BELKNAP

Aldrich, Glen  
Sylvia, Michael

Howard, Jr., Raymond  
Vadney, Herbert

Hurt, George

Spanos, Peter

### CARROLL

Avellani, Lino

Wright, Ted

### CHESHIRE

Eaton, Daniel

Hunt, John

McConnell, James

Phillips, Larry

### GRAFTON

Hull, Robert

Johnson, Eric

### HILLSBOROUGH

Ammon, Keith  
Christie, Rick  
Estevez, Eric  
Marston, Dick  
Murotake, David  
Sullivan, Victoria

Biggie, Barbara  
Eastman, Eric  
Gidge, Kenneth  
McClarren, Donald  
Murphy, Keith

Burt, John  
Edelblut, Frank  
Halstead, Carolyn  
McLean, Mark  
Notter, Jeanine

Christiansen, Lars  
Edwards, Elizabeth  
Lachance, Joseph  
Moore, Josh  
Simmons, Tammy

### MERRIMACK

Brewster, Michael  
McGuire, Dan

Hoell, J.R.  
Seaworth, Brian

Martin, John  
Wheeler, Deborah

McGuire, Carol



**ROCKINGHAM**

Baldasaro, Alfred  
Chirichiello, Brian  
Hodgdon, Bruce  
Osborne, Jason

Bates, David  
Dean-Bailey, Yvonne  
Itse, Daniel  
Spillane, James

Bush, Carol  
Duarte, Joe  
Kappler, Lawrence  
Tasker, Kyle

Cali-Pitts, Jacqueline  
Gannon, William  
McMahon, Charles

**STRAFFORD**

DeLemus, Susan  
Jones, Laura

Groen, Warren  
Kaczynski, Jr., Thomas

Hannon, Joseph  
Turcotte, Leonard

Horrigan, Timothy  
Wuelper, Kurt

**SULLIVAN**

Converse, Larry

and the committee report was adopted and referred to the Committee on Criminal Justice and Public Safety.

**SPECIAL ORDER**

**HB 240**, prohibiting law enforcement agencies from using a drone to collect evidence. **OUGHT TO PASS.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill prohibits the use of drones to obtain evidence unless authorized in certain circumstances. The first exception is to counter a high-risk of a terrorist attack. The second exception is where a law enforcement agency first obtains a search warrant. The third exception is where a law enforcement agency has reasonable suspicion that swift action is needed to prevent imminent danger to life, serious danger to property, forestall the imminent escape of a suspect or destruction of evidence, or to facilitate the search for a missing person. Vote 15-2.

**MOTION TO LAY ON THE TABLE**

Rep. Tholl moved that **HB 240**, prohibiting law enforcement agencies from using a drone to collect evidence, be laid on the table.

Motion adopted.

**REGULAR CALENDAR CONT'D**

**HB 661-FN**, relative to record keeping for sold or transferred animals. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Christie for the Majority of Executive Departments and Administration. This bill deals with reporting requirements for animal shelters and for animals transported into NH. As originally presented, the bill would have required very detailed records to be kept on each transferred animal. It met with a great deal of opposition as that level of detail was felt to be unnecessary and burdensome by those in the industry. Over the summer, a subcommittee worked on the bill and got agreement by all interested parties that NH would use a standard grid sheet for reporting as is used in many other states. The amendment adds this to the law and also places the responsibility for the custody and storage of reports submitted to the state with the Department of Agriculture, Markets and Food as part of the license renewal process. Vote 6-5.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The committee amendment rewrites the bill in its entirety and now addresses animals going into and out of shelters. The second and third sections of the amendment also make clerical corrections to RSA 437:1 and 437:10. However, the committee amendment does not address the fact that the current law is so broad that a family which ends up with a pregnant animal, and subsequently a litter of dogs or cats, cannot sell them to good homes without breaking the law. The minority believes that if we are going to make changes to RSA 437, we should correct the overly broad definitions and write the statute so that it covers those in the business of raising and selling animals and does not prohibit the family who finds themselves with a pregnant animal, or who wants to breed their animal to have some additional pets.

**Majority Amendment (2508h)**

Amend the bill by replacing the title with the following:

**AN ACT** relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Record Keeping; Licensed Animal Shelters. Amend RSA 437 by inserting after section 8 the following new section:

437:8-a Record Keeping; Licensed Animal Shelters.

I. Each licensee shall compile and keep on its premises a record of the total number of dogs and cats admitted, including animals in shelter and animals admitted but currently in foster care or at another offsite facility, in a reporting period specified with beginning and ending dates for the animal count. The total number shall be subdivided by dog and cat and further divided into the number of adults at time of intake and the number up to 5 months old at time of intake, with these numbers further divided into the following classifications:

(a) The total number of live animals admitted, subdivided into the following categories: stray or at-large admitted through animal control or stated to be without an owner or free-roaming; relinquished or otherwise admitted by owner; owner-intended euthanasia, meaning the admission of an animal whose owner brought the animal to the shelter with the intent of requesting euthanasia; transferred from another shelter; transferred from out of state; large scale seizure support, or other purposes; and other intakes, including impounds for cruelty cases and protective custody, pets born while in care, and other types of admission not otherwise covered by these categories;

(b) The subtotal of live outcomes for the animals, further subdivided into the following categories: final adoption, meaning permanently left the shelter's possession and not including animals placed in foster care or on overnight trial stays; stray or owner-relinquished animal returned to owner; transferred out of the shelter's possession to another entity; returned to field, meaning returning, after altering, to the stray capture location as free-roaming animals; and other live outcomes, such as barn cat programs;

(c) The subtotal of other outcomes for the animals, further subdivided into the following categories: died in care while sheltered; lost in care, meaning the outcome is unknown, such as due to escape or to not being recorded and unknown; all euthanasia other than that performed as owner-intended euthanasia; and owner-intended euthanasia, meaning only those animals whose owners brought them to the shelter with the intent of using euthanasia services; and

(d) The total outcomes, combining the subtotals for live and other outcomes.

II. For animals transported into New Hampshire for the purpose of sale or transfer, the following information shall be provided to the department of agriculture, markets, and food whether the originator source was a licensed animal shelter, or breeding facility:

(a) The original source for each animal, to include state and city of origin, and name and license number of organization sending animal to New Hampshire.

(b) The method of transport: the name and license number under RSA 437:3 of the person or organization which transported the animal to New Hampshire, and of the licensed organization that accepted the animal for further sale, adoption, or transfer.

(c) For how long, and where, the animal was kept quarantined in New Hampshire prior to being offered for sale, adoption, or transfer, as required under RSA 437:10, V.

(d) If the animal was dead on arrival, the likely cause of death.

III. Each licensee shall submit records, as described in this section, to the department of agriculture, markets, and food, annually as part of its license renewal application. The department shall store such records described in this section for a period of 3 years. The department shall make this information available to the public on its website, as soon as practicable upon receipt of such records.

2 Technical Correction. Amend RSA 437:1 to read as follows:

437:1 License Required. No person, firm, corporation or other entity shall engage in the business of transferring with or without a fee or donation required, to the public, live animals or birds customarily used as household pets unless the premises on which they are housed, harbored or displayed for such purposes are duly licensed and inspected by the department of agriculture, markets, and food of the state of New Hampshire. This section shall also apply to commercial kennels and to any person, firm, corporation, or other entity engaged in the business of, including activity as a broker, transferring live animals or birds customarily used as household pets for transfer to the public, with or without a fee required, and whether or not a physical facility is owned by the licensee in New Hampshire when transfer to the final owner occurs within New Hampshire. These provisions shall not [effect] *affect* the provisions of RSA 437:7.

3 Technical Correction. Amend RSA 437:10, II to read as follows:

II. The original of the official health certificate accompanying the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection upon request. The public will be informed of ~~their~~ *its* right to inspect the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where the dogs, cats, or ferrets are displayed. Upon transfer of the dog, cat, or ferret, this health certificate shall be updated by the licensee if any other medication or treatment has been given by a licensed veterinarian or the licensee to the dog, cat, or ferret and shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee. The transferee may accept a dog, cat, or ferret that has a noncontagious illness that has caused it to fail its examination by a licensed veterinarian for an official health certificate under paragraph I; the transferee shall sign a waiver that indicates the transferee has knowledge of the dog, cat, or ferret's noncontagious medical condition and then submit such waiver to the licensee who shall send a copy to the state veterinarian.

4 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill requires licensed animal transferors to keep certain records and submit copies of such records to the department of agriculture, markets and food.

This bill also makes technical corrections to the statutes regarding animal transfers. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 158 members having voted in the affirmative and 151 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 58**, relative to the United States flag worn as a patch. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mark Proulx for the Majority of Executive Departments and Administration. This bill prohibits the uniforms of all state and local law enforcement, fire and first responder personnel in New Hampshire from wearing a "reverse image" of the US flag on their uniforms. The "reverse image" flag patch was adopted by the US Army as a symbol of respect for the flag. The Army uniform guide requires a flag patch on the right shoulder sleeve of a uniform to be worn so that the star field faces forward giving "the effect of the flag flying in the breeze as the wearer moves forward." This is meant to ensure that the flag always appears to be advancing rather than retreating. Although the US Flag Code requires specific orientations for a flag in public display, it does not specify how it must be oriented when affixed to a military, fire, or police uniform. The committee is not aware of any analysis of the number of flag patches that would have to be replaced if this bill is adopted. Vote 8-3.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill simply sets a standard for the wearing of flags by state and municipal personnel. The minority of the committee finds the use of a backward American flag on military uniforms to be contrary to, and in violation of the US Flag Code, Title 4, Subsections 7, 8 and 10. Under these sections, the display of the flags is meticulously outlined and never allows for the symbol of our country to be displayed backward anywhere. Furthermore, we believe that in 2005 the Secretary of the Army overstepped his authority in ordering the display of a backward flag to be affixed to the US Army uniform. While adding a true representation of the American flag to a military uniform is allowed under the Flag Code, a backward flag is not. Under US Constitution, article 10 (States Rights), NH has the authority to make laws that state employees wear the proper American Flag on their uniform. This complies with state law since we adopted the US Flag Code, sections 1-10 as the state Flag Code in 2011 (RSA 3-E). Lastly, the state has the authority to set basic guidelines for uniforms that are worn by state and municipal employees. This bill does not impact the private citizens of the state in any manner and therefore the argument that this bill violates First Amendment rights is unfounded. Majority committee report adopted.

**HB 376-FN-A**, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. **INEXPEDIENT TO LEGISLATE.**

Rep. J. Tracy Emerick for Finance. This bill was intended to (a) replace funds for eligible and completed drinking water, wastewater and landfill closure projects under the state aid grant program that DES removed from their budget to meet the Governor's cuts in FY15 budget and (b) to provide funding for the 16/17 biennium. HB 1 included full funding for such projects for FY16 and FY17, plus a footnote was written on that line to prohibit the governor from raiding that line to pay for other programs, thus ensuring that towns would get their 2016 and 2017 allocation. The governor did not choose to budget replacement money for the FY15 cuts. However, those cuts did not eliminate funding; instead municipalities eligible for the grants remain on the list and are to receive the grants in the current FY16-FY17 budget period. When the governor cut the monies from FY15, it extended the life of the payments as opposed to reducing the amount owed. The committee recommends ITL for two reasons: it is unnecessary because the majority of the monies were budgeted in the passed version of HB 1, and if OTP it would require retroactive opening of the last budget to restore the monies cut from FY15. Because municipalities will eventually get all monies owed to them, the committee decided to support the governor's decision not to retroactively pay the FY15 monies. Vote 15-10.

Rep. Lynne Ober spoke in favor.

Rep. Buco spoke against and requested a roll call; sufficiently seconded.

### YEAS 184 NAYS 130

#### YEAS - 184

##### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

##### CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Umberger, Karen	Wright, Ted		

##### CHESHIRE

Hunt, John	McConnell, James	Roberts, Kris	Tilton, Benjamin
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##### COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

##### GRAFTON

Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Ladd, Rick	Shackett, Jeffrey

##### HILLSBOROUGH

Ammon, Keith	Balcom, John	Belanger, James	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christie, Rick
Coffey, James	Danielson, David	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry
Gould, Linda	Griffin, Barbara	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Scontsas, Lisa	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Straight, Phillip	Sullivan, Victoria
Takesian, Charlene	Twombly, Timothy	Ulery, Jordan	Wolf, Terry

**MERRIMACK**

Brewster, Michael  
Kidder, David  
Marple, Richard  
Parent, Jason

French, Harold  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

Hoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Horn, Werner  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Chase, Francis  
Dean-Bailey, Yvonne  
Elliott, Robert  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Webb, James

Allen, Mary  
Bates, David  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Manning, John  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Welch, David

Azarian, Gary  
Bush, Carol  
Christie, Andrew  
Devine, James  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Peckham, Michele  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

Baldasaro, Alfred  
Cardon, G. Thomas  
Cook, Allen  
Duarte, Joe  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
Potucek, John  
Sytek, John  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Mullen, John

**SULLIVAN**

Grenier, James  
Smith, Steven

Laware, Thomas

Rollins, Skip

Schmidt, Andrew

**NAYS - 130****CARROLL**

Buco, Thomas

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Johnsen, Gladys  
Pearson, William  
Tatro, Bruce

Berch, Paul  
Ley, Douglas  
Phillips, Larry  
Weber, Lucy

Bordenet, John  
Mann, John  
Robertson, Timothy

**COOS**

Froborg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Brown, Chris  
Massimilla, Linda  
White, Andrew

Cooney, Mary  
Nordgren, Sharon

**HILLSBOROUGH**

Backus, Robert  
Christiansen, Lars  
Forest, Armand  
Gorman, Mary  
Heath, Mary  
Long, Patrick  
McNamara, Richard

Beaulieu, Jane  
Cornell, Patricia  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Mangipudi, Latha  
O'Brien, Michael

Brown, Pamela  
Cote, David  
Gidge, Kenneth  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
Porter, Marjorie

Christensen, Chris  
Edwards, Elizabeth  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter  
McCarthy, Peggy  
Roberts, Carol

Rosenwald, Cindy  
Snow, Kendall  
Walsh, Robert

Sanborn, Laurie  
Soucy, Timothy  
Williams, Kermit

Shattuck, Gilman  
Sullivan, Daniel  
Woodbury, David

Shaw, Barbara  
Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
Gile, Mary  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Henle, Paul  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Karrick, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
Frazer, June  
Luneau, David  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

### ROCKINGHAM

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Schroadter, Adam

Borden, David  
DiFranco, Debbie  
Lovejoy, Patricia  
Sherman, Thomas

Cahill, Michael  
Francese, Paula  
Moody, Marcia  
Simpson, Alexis

Cali-Pitts, Jacqueline  
Gordon, Pamela  
Pantelakos, Laura  
Ward, Gerald

### STRAFFORD

Baber, William  
DiSesa, Len  
Schmidt, Peter  
Wall, Janet

Bixby, Peter  
Horrigan, Timothy  
Spang, Judith

Burton, Wayne  
Kaen, Naida  
Sprague, Dale

Cilley, Jacalyn  
Rollo, Deanna  
Treleven, Susan

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

and the committee report was adopted.

**HB 500**, repealing the prohibition on the use of silencing devices for taking wildlife. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Spillane for the Majority of Fish and Game and Marine Resources. This bill brings New Hampshire in line with the hunting laws in a majority of the states, as 37 states currently allow the use of suppressors when hunting. Maine has just joined the ranks of those allowing use. This bill will allow hunters to prevent irreparable hearing damage and cut down on noise complaints. Vote 7-5. Rep. Jonathan Manley for the Minority of Fish and Game and Marine Resources. Many groups are against this bill including the Department of Fish and Game, NH Timberland Owners Association, NH Guides Association, and many landowners. Those who favor it claim it would help protect hearing, but there are other devices that can adequately serve this function.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Manley spoke against and yielded to questions.

Rep. Burt spoke in favor and yielded to questions.

Rep. Notter requested a roll call; sufficiently seconded.

**YEAS 184 NAYS 124**

### YEAS - 184

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Sylvia, Michael

Dumais, Russell  
Hurt, George  
Tilton, Franklin

Fraser, Valerie  
LeBreche, Shari  
Vadney, Herbert

Gallagher, Brian  
Luther, Robert

### CARROLL

Avellani, Lino  
McConkey, Mark

Chandler, Gene  
Umberger, Karen

Comeau, Ed  
Wright, Ted

McCarthy, Frank

### CHESHIRE

Hunt, John

McConnell, James

Phillips, Larry

**COOS**

Fothergill, John  
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Darrow, Stephen  
Ingbreton, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

Hull, Robert  
White, Andrew

**HILLSBOROUGH**

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Forest, Armand  
Goley, Jeffrey  
Halstead, Carolyn  
Hopper, Gary  
Long, Patrick  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Proulx, Mark  
Sanborn, Laurie  
Smith, Gregory  
Sullivan, Victoria  
Woodbury, David

Balcom, John  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Gagne, Larry  
Gorman, Mary  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Moore, Josh  
Ober, Lynne  
Parison, James  
Rice, Kimberly  
Scontsas, Lisa  
Snow, Kendall  
Twombly, Timothy

Beaulieu, Jane  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Gargas, Carolyn  
Gould, Linda  
Hinch, Richard  
Lachance, Joseph  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Shaw, Barbara  
Soucy, Timothy  
Ulery, Jordan

Belanger, James  
Byron, Frank  
Danielson, David  
Flanagan, Jack  
Gidge, Kenneth  
Griffin, Barbara  
Hogan, Edith  
LeBrun, Donald  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rowe, Robert  
Simmons, Tammy  
Straight, Phillip  
Wolf, Terry

**MERRIMACK**

Brewster, Michael  
Kotowski, Frank  
McGuire, Carol  
Walsh, Thomas

French, Harold  
Kuch, Bill  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

Horn, Werner  
Martin, John  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Manning, John  
Osborne, Jason  
Rice, Frederick  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

Baldasaro, Alfred  
Chase, Francis  
DeSimone, Debra  
Elliott, Robert  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
Peckham, Michele  
Schroadter, Adam  
Tilton, Rio  
Webb, James

Bates, David  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McKinney, Betsy  
Potucek, John  
Spillane, James  
Tucker, Pamela  
Welch, David

Bush, Carol  
Cook, Allen  
DiFranco, Debbie  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Vose, Michael  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

Bickford, David  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bixby, Peter  
Gray, James  
Kaczynski, Jr., Thomas  
Sprague, Dale

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard

**SULLIVAN**

Converse, Larry  
Schmidt, Andrew

Grenier, James  
Smith, Steven

Laware, Thomas

Rollins, Skip

**NAYS - 124****BELKNAP**

Fields, Dennis	Flanders, Donald	Spanos, Peter
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**CARROLL**

Buco, Thomas	Cordelli, Glenn	Nelson, Bill	Parker, Harold
Ticehurst, Susan			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

**COOS**

Froburg, Alethea	Moynihn, Wayne	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Ford, Susan	Maes, Kevin	Massimilla, Linda	Sykes, George
Townsend, Charles			

**HILLSBOROUGH**

Backus, Robert	Brown, Pamela	Christiansen, Lars	Cornell, Patricia
Cote, David	Edwards, Elizabeth	Estevez, Eric	Freitas, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Infantine, William	Jack, Martin	Leishman, Peter
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Pierce, David	Porter, Marjorie	Roberts, Carol	Shattuck, Gilman
Souza, Kathleen	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit		

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kidder, David
Long, Douglas	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wheeler, Deborah			

**ROCKINGHAM**

Allen, Mary	Azarian, Gary	Barnes, Arthur	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert
Fesh, Robert	Francesse, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	Moody, Marcia	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Ward, Gerald		

**STRAFFORD**

Baber, William	Burton, Wayne	Cilley, Jacalyn	DiSesa, Len
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Spang, Judith	Treleaven, Susan	Wall, Janet	

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
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Oxenham, Lee  
and the majority committee report was adopted and ordered to third reading.



**HB 505**, relative to baiting for game birds and game animals by persons with a disability. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas Long for the Majority of Fish and Game and Marine Resources. It was determined after many subcommittee work sessions and much discussion that the wording of the bill is insufficient and unclear. Specifically, the existing definition within the Fish and Game laws of "person with a disability" would be given too broad a meaning. Vote 10-2.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This bill attempts to close a loophole that discriminates against disabled people who are not in a wheelchair and do not have veteran status. An equal playing field in the baiting and hunting of deer for all disabled people is all the bill is seeking to accomplish.

Majority committee report adopted.

**HB 518**, relative to authority to establish fees for licenses issued by the fish and game department. **INEXPEDIENT TO LEGISLATE.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill no longer has any purpose as its intended consequence, to authorize the Fish and Game Department to establish license and permit fees, has already been adopted into law through passage of HB 212 last session. Vote 7-5. Committee report adopted.

The House recessed at 11:50 a.m.

## RECESS

The House reconvened at 1:00 p.m.

**(Speaker Jasper in the Chair)**

## SPECIAL GUEST PRESENTATION

Mrs. Carly Fiorina, 2016 Presidential candidate, addressed the House.

## MOTION TO VACATE

Rep. Andrew Christie moved that the House vacate the reference of **HB 1474**, requiring the collection of data relative to firearm related deaths and injuries, to the Committee on Executive Departments and Administration.

Motion adopted.

The Speaker referred **HB 1474** to the Committee on Criminal Justice and Public Safety.

## MOTION TO VACATE

Rep. Rowe moved that the House vacate the reference of **HB 1261**, relative to multiple indictments in criminal prosecutions, **HB 1287**, repealing a provision of the harassment statute, and **HB 1448**, relative to contact between a plaintiff and defendant subject to a protective order, to the Committee on Judiciary.

Motion adopted.

The Speaker referred **HB 1261**, **HB 1287** and **HB 1448** to the Committee on Criminal Justice and Public Safety.

## MOTION TO SPECIAL ORDER

Rep. Abrami moved that **HB 634-FN-A**, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief, be made a Special Order as the next order of business.

Motion adopted.

## SPECIAL ORDER

**HB 634-FN-A**, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Bill Ohm for the Majority of Ways and Means. This bill creates a new tax on capital gains that applies to individuals. While individual exemptions are increased, the tax is expected to raise approximately \$90 million. New Hampshire has no income tax on wages, and the majority feels that

one effect of the bill is to extend an income tax on seniors, those who have built up a nest egg of stocks, bonds and CD's for retirement income. The committee did adopt an amendment that removed the application of the proposed tax to trusts but the majority is opposed to new taxes. Vote 12-7. Rep. Richard Ames for the Minority of Ways and Means. This bill modifies New Hampshire's existing tax on investment income. It does this by extending to capital gains the existing 5% tax on interest and dividends. With this modification, all forms of individual investment income, i.e., of income derived from the ownership of assets including interest, dividends and capital gains (e.g. stock trades), will be equally taxed. The bill also cuts taxes by increasing exemptions from the 5% tax: the individual exemption allowed in our current tax on investment income will go up from \$2,400 to \$5,000, the combined married couple exemption will go up from \$4,800 to \$10,000, and additional exemptions for the blind, disabled and elderly will go up from \$1,200 to \$2,500. The bill also includes provisions expanding the reach of the existing Low and Moderate Income Homeowners Property Tax Relief Program. With all of these changes, the fiscal note estimates New Hampshire will realize about \$90 million annually in net new revenue (after accounting for the increase in personal exemptions), collected primarily from relatively high income taxpayers. The capital gains loophole primarily benefits the wealthiest 1% of New Hampshire residents. These are taxpayers who already pay a federal capital gains tax, and by closing this loophole in New Hampshire, they can deduct the state tax off of their federal return and New Hampshire keeps more money in the state rather than sending it to the federal government. Because of the increased exemptions, because most current interest and dividends taxpayers do not receive substantial capital gains income, and because of the changes in the Low and Moderate Income Property Tax Relief Program, roughly 55,000 New Hampshire residents will pay less in taxes if the amended HB 634 becomes law. With the minority amendment, additional direct and indirect property taxpayer and local government tax and budget relief will come from the amended bill's allocation of \$75.2 million of the new revenue to enable the state to begin meeting its responsibilities under several core statutory state aid programs: local revenue sharing, catastrophic special education aid, school building aid, and local employer retirement cost sharing. The bill establishes a new capital gains reserve fund, using a rolling three-year historical average to constrain budgetary reliance on estimated capital gains revenue and establishing a prudential reserve fund system that will set aside excess amounts collected in unexpectedly high revenue years and make those amounts available to cover short-falls in unexpectedly bad revenue years. Responding to concerns expressed at public hearing, the minority amendment removes all provisions that would have extended the tax on interest, dividends and capital gains to irrevocable trusts.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Ames spoke against.

Rep. Ohm spoke in favor and requested a roll call; sufficiently seconded.

## YEAS 197 NAYS 109

### YEAS - 197

#### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
Luther, Robert  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter  
Varney, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Flanders, Donald  
Hurt, George  
Tilton, Franklin

#### CARROLL

Avellani, Lino  
McCarthy, Frank  
Umberger, Karen

Buco, Thomas  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

#### CHESHIRE

Hunt, John

McConnell, James

Tilton, Benjamin

#### COOS

Fothergill, John  
Tholl, John

Rappaport, Laurence  
Thomas, Yvonne

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

Hennessey, Erin  
Massimilla, Linda

Hull, Robert  
Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Byron, Frank  
Coffey, James  
Forest, Armand  
Gorman, Mary  
Hansen, Peter  
Infantine, William  
Marston, Dick  
Moore, Josh  
O'Brien, Michael  
Palmer, Barry  
Proulx, Mark  
Sanborn, Laurie  
Souza, Kathleen  
Twombly, Timothy

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Gagne, Larry  
Gould, Linda  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Lynne  
Parison, James  
Rice, Kimberly  
Scontos, Lisa  
Straight, Phillip  
Ulery, Jordan

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Eastman, Eric  
Gargas, Carolyn  
Griffin, Barbara  
Hogan, Edith  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Simmons, Tammy  
Sullivan, Victoria  
Wolf, Terry

Beaulieu, Jane  
Burt, John  
Christie, Rick  
Ferreira, Elizabeth  
Goley, Jeffrey  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rowe, Robert  
Smith, Gregory  
Takesian, Charlene

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Long, Douglas  
McGuire, Dan  
Walsh, Thomas

Ebel, Karen  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

Hess, David  
Kuch, Bill  
McGuire, Carol  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Chase, Francis  
Dean-Bailey, Yvonne  
Elliott, Robert  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
Manning, John  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James

Allen, Mary  
Bates, David  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Matthews, Carolyn  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela  
Welch, David

Azarian, Gary  
Bush, Carol  
Christie, Andrew  
Devine, James  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
McKinney, Betsy  
Potucek, John  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

Baldasaro, Alfred  
Cardon, G. Thomas  
Cook, Allen  
Duarte, Joe  
Gannon, William  
Guthrie, Joseph  
Itse, Daniel  
Lundgren, David  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
DeLemus, Susan  
Hannon, Joseph  
Kaen, Naida  
Sprague, Dale

Berube, Roger  
Graham, Robert  
Horrigan, Timothy  
Leeman, Don  
Turcotte, Leonard

Bickford, David  
Gray, James  
Jones, Laura  
Mullen, John  
Wall, Janet

Cheney, Catherine  
Groen, Warren  
Kaczynski, Jr., Thomas  
Pitre, Joseph  
Wuelper, Kurt

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 109  
CARROLL**

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

**COOS**

Moynihan, Wayne

**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Ford, Susan	Maes, Kevin	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Brown, Pamela	Cohen, Alan	Cornell, Patricia
Cote, David	Edwards, Elizabeth	Estevez, Eric	Freitas, Mary
Gidge, Kenneth	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
Pierce, David	Porter, Marjorie	Roberts, Carol	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Vann, Ivy	Walsh, Robert	Williams, Kermit	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	Gile, Mary
Henle, Paul	Karrick, David	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wheeler, Deborah

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francesse, Paula	Gordon, Pamela
Heffron, Frank	Introne, Robert	Lovejoy, Patricia	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

**STRAFFORD**

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Rollo, Deanna	Schmidt, Peter	Spang, Judith
Treleven, Susan			

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted.  
Reps. Introne and Estevez voted Nay and intended to vote Yea.

**INTRODUCTION OF SPECIAL GUESTS**

The Honorable Jose Oliva, Ray Rodrigues, Richard Corcoran, Carlos Trujillo, Joe Felix Diaz and Slayter Bayliss, State Representatives from Florida, guests of the House.

**REGULAR CALENDAR CONT'D**

**CACR 5**, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**  
Rep. Paul Berch for the Majority of Judiciary. CACR 5 proposes a major change as to who can take a matter to court, namely the standing to sue. It would allow any resident taxpayer to challenge any and all revenue bills passed, or intended to pass into law by our state, county and municipalities, whether or not the person suing is affected by the tax imposed. In common language, CACR 5

would change the requirement that the person bringing the suit “have skin in the game.” In 2010 and 2014, the New Hampshire Supreme Court clarified that the State Constitution requires this concept of standing. CACR 5 seeks to amend the New Hampshire Constitution to allow a taxpayer to sue a governmental body for a declaratory judgment (a type of court action that challenges the validity of the law) without any claim of personal harm beyond his or her status as a taxpayer. This would allow a court to judge the legality of each and every revenue bill and even to impose injunctive relief and stop a revenue expenditure until the suit makes its way through the court system. The delay could be months or years. Members of the Judiciary Committee understood and were sympathetic regarding the issues involved in requiring traditional standing and looked at alternatives in considerable detail. Ultimately, the committee found that CACR 5 suffered from both conceptual and practical flaws. CACR 5 would allow the courts to take on an improper supervisory role over much of the activities of the co-equal branches of government and by changing the fundamental role of the Judicial Branch in our balanced system of government, CACR 5 would decrease the authority of the Legislative and Executive Branches, while greatly increasing the power of the Judicial Branch. The committee also found many practical problems with this proposed legislation – from definition of terms to lack of clarity of who is covered by the amendment; it would allow people who have no relation to an action to intervene or possibly appeal actions already settled by the parties; it could result in increases in costs to citizens and governmental bodies as well as delays in resolution of issues between citizens and their government; it could result in an increase in “drive-by” litigation, some potentially harassing or vindictive in nature. A significant increase in the caseload of the Judicial Branch could reasonably be expected. For the above reasons, the bipartisan majority of the committee cannot recommend passage of CACR 5. Vote 16-2.

Rep. Kurt Wuelper for the Minority of Judiciary. CACR 5 intends to restore the ability of citizens to have a court declare whether government actions are unlawful by giving them “standing” (even though the party taking action has not shown to be damaged) which the New Hampshire Supreme Court has denied them for the last several years. These “taxpayer suits” have been in our courts at least since 1863. The New Hampshire Supreme Court in 1952 ruled “it is plain that every taxpayer of a town has a vital interest in and a right to the preservation of an orderly and lawful government regardless of whether his purse is immediately touched,” and again in 1974 ruled “it is well settled in this state that plaintiffs, as taxpayers, have standing to seek redress for the unlawful acts of their public officials.” But, in 2010, that court restricted that “well settled” right to taxpayers whose “rights are impaired or prejudiced,” excluding anyone who has not suffered a direct financial loss. To correct that misreading of RSA 491:22, in 2012, the General Court added language specifically restoring the right to sue if taxpayers were not personally injured. But, in 2014, the Supreme Court declared that restoration unconstitutional, prompting introduction of CACR 5. The minority believes that citizens should have the right to a “lawful and orderly” government and that access to the courts without being damaged should be a primary means of constraining government to lawful actions. In addition, any unlawful government action violates that right, so CACR 5 empowers taxpayers to sue over “conduct in violation of law, ordinance or constitutional provision,” extending the “lawful and orderly” requirement to every level of government in New Hampshire. The majority fears the courts would be deluged with lawsuits under CACR 5 delaying the implementation of a law or municipal ordinance and giving the Judicial Branch excessive power over the other two branches, but the minority believes history has shown otherwise. CACR 5 continues the General Court’s attempt to restore the right New Hampshire citizens had between 1863 and 2010 to sue for lawful government and provides important protection for all New Hampshire taxpayers.

### **MOTION TO LAY ON THE TABLE**

Rep. Hinch moved that **CACR 5**, relating to legal actions. Providing that taxpayers have standing to bring actions against the government, be laid on the table.

Motion adopted.

### **HB 636-FN, relative to forfeiture of property. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for the Majority of Judiciary. Forfeiture, under federal and state law, is a legal tool that allows law enforcement to seize contraband and property on suspicion that it is involved in criminal activity and which seizure is subject to final approval by the courts. The purpose of this legislation is to modernize and clarify New Hampshire forfeiture laws. This bill does so in four ways.

First, unless the person is unavailable, such as due to death or incapacity, a criminal conviction or agreement of the parties is required for forfeiture to occur. Second, the burden of proof on the state is clarified to be “clear and convincing” evidence. Third, the rights of an innocent owner to return of property and the procedure to be used is set forth. Finally, disposition of forfeited property is to the Department of Administrative Services and forfeited currency is to the General Fund, after payment of liens and any court-ordered non-personnel expenses. The committee discussed at some length the question of whether forfeited funds should be kept in part by the local department which handled the police work as well as the Attorney General’s Office or whether the fund should more properly be part of the state treasury. Although the sums are very small (\$50-60,000 overall and less than half of that to all local police departments combined), it was felt that it was important for the public to perceive and believe that the police solely act on the needs of law enforcement and not for purposes of their own revenue enhancement. By having any forfeited funds go to the General Fund, the question of conflict of interest is eliminated. Vote 14-5.

Rep. Timothy Horrigan for the Minority of Judiciary. Under existing law, the proceeds from civil forfeiture are placed in a Drug Forfeiture Fund, pursuant to RSA 318-b:17-c. The minority concluded that it would be unwise to eliminate this fund, which helps local agencies fight the opioid epidemic. Each of our communities has unique needs to combat drug addiction. The dedicated drug fund would allow the best use of the funds in meeting the needs specific community needs.

### **Majority Amendment (2507h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Property Subject to Forfeiture. Amend RSA 617 by inserting after section 1 the following new section:

617:1-a Criminal Forfeiture; Property Subject to Forfeiture.

I. Subsequent to a criminal conviction pursuant to a statute that authorizes forfeiture, including but not limited to RSA 318-B:17-b, the court may order the person convicted to forfeit:

- (a) Property the person derived from the commission of the crime;
- (b) Property directly traceable to property derived from the commission of the crime; and
- (c) Instrumentalities the person used in the commission of the crime.

II. When a conviction or agreement of the parties is not possible due to the person’s death, incompetence, unavailability, or not being within the jurisdiction of the court, or the person to be charged cannot be identified, forfeiture proceedings may be commenced.

III. Property may be forfeited if the state establishes that the property is forfeitable by clear and convincing evidence.

IV. Nothing in this section shall prevent property from being forfeited by plea agreement approved by the presiding criminal court or other agreement of the parties.

V. At the request of any party, the civil portion of the forfeiture proceeding may be stayed by the court.

2 New Section; Forfeiture; Innocent Owner. Amend RSA 617 by inserting after section 4 the following new section:

617:4-a Innocent Owner. In addition to any other remedy provided by law, any person claiming to be an innocent owner of property seized for purposes of forfeiture may petition the court, after 10 days from the date of seizure, for return of the property. No item or property interest shall be subject to forfeiture unless the alleged innocent owner thereof was a consenting party to the crime. This provision shall not apply to property seized as evidence in a pending criminal investigation or prosecution.

3 New Section; Disposition of Unclaimed Property and Proceeds. Amend RSA 617 by inserting after section 10 the following new section:

617:11 Disposition of Property and Proceeds.

I. Notwithstanding any other provision of law, at any time when unclaimed property or contraband held for evidentiary purposes is no longer needed for that purpose, the court may order the state to deliver any unclaimed property, other than currency, to the commissioner of the department of administrative services, to deliver any currency to the state treasurer, and to destroy any contraband within 30 days.

II. If the forfeiture is granted, the court may order the state to deliver any currency to the state treasurer and any other property to the commissioner of the department of administrative services within 30 days. The commissioner of the department of administrative services shall dispose of the forfeited property at public auction.

III. Upon motion, the court may order that a portion of the currency seized or proceeds from public auction be used to pay reasonable non-personnel expenses of the seizure, storage, and maintenance of custody of any forfeited items.

IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the state's general fund.

4 Forfeiture of Items Used in Connection with Drug Offense. Amend RSA 318-B:17-b, II(e) to read as follows:

(e) The department of justice shall, within 60 days of the seizure, ~~[either] file a petition in the superior court having jurisdiction under this section [or seek administrative forfeiture pursuant to RSA 318-B:17-d].~~ If no such petition is filed ~~[or administrative procedure initiated]~~ within 60 days, the items or property interest seized shall be released or returned to the owners.

5 Forfeiture of Items Used in Connection with Drug Offense; Reference to Drug Forfeiture Fund Removed. Amend RSA 318-B:17-b, II-a(e) to read as follows:

(e) In the case of moneys, file a motion for transfer of evidence under RSA 595-A:6. Upon the court's granting of the motion the moneys shall be immediately forwarded to an interest-bearing seized asset escrow account to be administered by the attorney general. Upon resolution of the forfeiture proceeding the moneys deposited shall be transferred to the ~~[drug forfeiture]~~ **general** fund or returned to the owners thereof as directed by the court. Unless otherwise ordered by a court in a specific case, interest on all moneys deposited in the seized asset escrow account shall be deposited annually into the ~~[drug forfeiture fund established under RSA 318-B:17-c]~~ **general fund**.

6 Disposition of Funds Obtained by the Attorney General. Amend RSA 7:6-e, III to read as follows:

III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, ~~[drug forfeiture funds as provided in RSA 318-B:17-b through RSA 318-B:17-d;]~~ fines or civil penalties authorized by state law as a result of enforcement actions taken by state agencies or the attorney general, and money received on behalf of a victim or the state as restitution.

7 Repeal. The following are repealed:

I. RSA 318-B:17-b, V, relative to the distribution of proceeds from items forfeited from drug offenses.

II. RSA 318-B:17-c, establishing the drug forfeiture fund.

III. RSA 318-B:17-d, relative to administrative forfeiture of items used in connection with drug offenses.

IV. RSA 6:12, I(b)(19), relative to the drug forfeiture fund.

8 Effective Date. This act shall take effect January 1, 2017.

#### AMENDED ANALYSIS

This bill limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime. The bill also requires the state to deposit proceeds from forfeited property in the general fund.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horrigan offered floor amendment (3050h).

#### Floor Amendment (3050h)

Amend RSA 617:11, IV as inserted by section 3 of the bill by replacing it with the following:

IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the drug forfeiture fund established in RSA 318-B:17-c.

Amend the bill by replacing all after section 4 with the following:

5 Effective Date. This act shall take effect January 1, 2017.

#### AMENDED ANALYSIS

This bill limits forfeiture to cases in which the state has obtained a conviction and found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime.

Rep. Horrigan spoke in favor.

Rep. Sylvia spoke against.

Rep. Dan McGuire spoke against and yielded to questions.

On a division vote, with 153 members having voted in the affirmative and 156 in the negative, floor amendment (3050h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Majority committee report adopted and referred to the Committee on Finance.

### **SPECIAL ORDER**

#### **HB 475, prohibiting the state from engaging in acts of civil forfeiture. OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. Civil forfeiture allows police to seize — and then keep or sell — any property they allege is involved in a crime. Owners need not ever be arrested or convicted of a crime for their cash, cars, or even real estate to be taken away permanently by the government. The intent of the civil forfeiture laws was to cripple large-scale criminal enterprises by diverting their resources and ensuring that criminals do not profit from their crimes. Unfortunately, this authority has been abused and has left citizens with legal costs to recover their property when they have done nothing wrong. The initial language of the bill required all public servants who engage in the act of civil forfeiture to be punished and lose their jobs. The committee thought the drafting was overly broad and unenforceable. Furthermore, last spring the ED&A Committee retained the bill with the impression that the other civil asset forfeiture bill filed in 2015 (HB 636) would be going forward. Unfortunately, both HB 475 and HB 636 were retained and nothing was accomplished this past year to correct the issues that we heard about in committee. A subcommittee was formed to investigate the issues associated with civil forfeiture and requests were made of the Attorney General to document what guidelines were being used within the state. The Attorney General's office did not provide this information to the subcommittee. After further work over the summer and fall, the House Judiciary Committee has given a positive report to HB 636. To ensure that the issue of civil asset forfeiture is properly addressed and that some changes to the statutes are made, the committee decided to recommend amending the bill to create a legislative study committee. The committee thought it wise to keep the bill alive in case HB 636 stalled for any reason. Vote 11-0.

#### **Amendment (2517h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study civil forfeiture.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study civil forfeiture.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Three members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the civil forfeiture statutes in New Hampshire and evaluate the impact on the citizens of our state.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill establishes a committee to study civil forfeiture in New Hampshire.



**MOTION TO LAY ON THE TABLE**

Rep. Andrew Christie moved that **HB 475**, prohibiting the state from engaging in acts of civil forfeiture, be laid on the table.

Motion adopted.

**REGULAR CALENDAR CONT'D**

**SB 203-FN**, relative to review of eligibility for workers' compensation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. The goal of the original bill and the impact it would have on a small number of injured workers with very unique situations was understood by the Labor Committee. However, it was felt that the bill would have had too broad of a negative impact on the ability of insurance carriers to close indemnity claims after 4 years and instead carriers would have to continually re-open cases. After hearing extensive testimony, the bipartisan committee amendment changes the bill to prospectively address cases where medical treatment is purposely postponed for the medical benefit of the injured worker and allows the injured worker to appeal claims for indemnity. A floor amendment will be offered to address the effective date. Vote 14-0.

**Amendment (2543h)**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Workers' Compensation; Review of Eligibility for Compensation. Amend RSA 281-A:48 by inserting after paragraph I the following new paragraph:

I-a. Any party at interest with regard to an injury occurring after January 1, 2016, where medical treatment for that injury is purposefully and intentionally postponed for medical reasons beyond the fourth anniversary of the date of denial or the last payment of compensation, may petition the commissioner to review such denial or award of compensation made pursuant to RSA 281-A:40 by filing a petition with the commissioner no later than 180 days after the date of the postponed treatment. A written acknowledgment by the employee and notification to the workers' compensation carrier shall be included in the worker's medical record including the medical reason for postponing the medical procedure. Any award or denial of indemnity payments made under this paragraph shall not extend the time frame under paragraph I.

**AMENDED ANALYSIS**

This bill allows an injured worker whose treatment is purposely postponed for medical treatment beyond the fourth anniversary of the date of denial or last payment of compensation to petition the commissioner of labor, within a certain time frame, to review such denial or award of compensation. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Infantine offered floor amendment (2570h).

**Amendment (2570h)**

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect 90 days after its passage.

Rep. Infantine spoke in favor.

Floor amendment (2570h) adopted.

Committee report adopted and ordered to third reading.

**SB 238-FN**, relative to the workers' compensation appeals board. **OUGHT TO PASS.**

Rep. Leonard Turcotte for Labor, Industrial and Rehabilitative Services. Both the House (HB 521) and Senate introduced nearly identical versions of this bill. After much internal discussion and minor amendments by both the House and Senate we believe the Senate version of the bill is appropriate. Vote 14-0.

Rep. Infantine spoke in favor.

Committee report adopted and referred to the Committee on Finance.

**SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Richard Hinch for the Majority of Legislative Administration. This bill establishes a legislative committee to review the impact of the Citizens United decision and constitutional amendments relating to this decision that are currently pending in Congress. As written, the committee is required to file a report on November 1, 2015, which is just over two weeks after the date of the executive session. The majority of the committee believed that by sending this bill to Interim Study, the issue of whether a study committee remains necessary can and will be debated, and recommendations for future legislation can be filed based on those findings, if necessary. Vote 7-3.

Rep. Lucy Weber for the Minority of Legislative Administration. SB 136, in its current form, simply establishes a four member, bipartisan committee to review all constitutional amendments pending in Congress on the subject of the Citizens United decision. The review committee would then communicate its recommendations, if any, for further action to both the NH legislature and the NH congressional delegation. Members of the minority are of the opinion that further study of the language of the bill, as opposed to the study of the actual issue, is unnecessary, unproductive and a waste of time and resources. It is clear that NH citizens want the issue of campaign financing to be addressed, preferably sooner rather than later. Putting any action off for another election cycle simply fails to address the problem. The floor amendment simply extends the time for the committee to report, adding an interim report by June 1, 2016 and a final report by November 1, 2016.

The question being adoption of the majority committee report of Refer for Interim Study.

Reps. Weber and Elliott spoke against.

Rep. Hinch spoke in favor.

Rep. Ford requested a roll call; sufficiently seconded.

## YEAS 152 NAYS 154

### YEAS - 152

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	

#### CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

#### CHESHIRE

Bordenet, John	Hunt, John
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#### COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John
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#### GRAFTON

Darrow, Stephen	Gionet, Edmond	Johnson, Eric	Ladd, Rick
Shackett, Jeffrey			

#### HILLSBOROUGH

Ammon, Keith	Balcom, John	Belanger, James	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christie, Rick	Coffey, James	Danielson, David	Eastman, Eric
Ferreira, Elizabeth	Gagne, Larry	Gargasz, Carolyn	Gould, Linda
Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Hinch, Richard
Hogan, Edith	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	Ober, Lynne
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Vann, Ivy	Wolf, Terry	

**MERRIMACK**

French, Harold  
Kuch, Bill  
Parent, Jason

Hess, David  
Martin, John  
Seaworth, Brian

Horn, Werner  
McGuire, Carol  
Walsh, Thomas

Kotowski, Frank  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Dean-Bailey, Yvonne  
Gannon, William  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

Allen, Mary  
Bush, Carol  
Devine, James  
Griffin, Mary  
Introne, Robert  
Lundgren, David  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James

Baldasaro, Alfred  
Chase, Francis  
Duarte, Joe  
Harris, Jeffrey  
Itse, Daniel  
Matthews, Carolyn  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela  
Welch, David

Barnes, Arthur  
Christie, Andrew  
Emerick, J. Tracy  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
Potucek, John  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Leeman, Don  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Mullen, John  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Pitre, Joseph  
Wuelper, Kurt

Graham, Robert  
Kaczynski, Jr., Thomas  
Sprague, Dale

**SULLIVAN**

Laware, Thomas

Smith, Steven

**NAYS - 154****BELKNAP**

Flanders, Donald

Gallagher, Brian

Varney, Peter

**CARROLL**

Buco, Thomas

**CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Ley, Douglas  
Pearson, William  
Tilton, Benjamin

Berch, Paul  
Mann, John  
Phillips, Larry  
Weber, Lucy

Eaton, Daniel  
McConnell, James  
Robertson, Timothy

**COOS**

Fothergill, John

Moynihan, Wayne

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
White, Andrew

Almy, Susan  
Hennessey, Erin  
Nordgren, Sharon

Brown, Chris  
Hull, Robert  
Sykes, George

Cooney, Mary  
Maes, Kevin  
Townsend, Charles

**HILLSBOROUGH**

Adams, Christopher  
Christiansen, Lars  
Edwards, Elizabeth  
Gidge, Kenneth  
Hansberry, Daniel  
Infantine, William  
Mangipudi, Latha  
O'Brien, Michael

Backus, Robert  
Cohen, Alan  
Estevez, Eric  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Manley, Jonathan  
Peterson, Ken

Beaulieu, Jane  
Cornell, Patricia  
Forest, Armand  
Gorman, Mary  
Heath, Mary  
Leishman, Peter  
McNamara, Richard  
Porter, Marjorie

Brown, Pamela  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Long, Patrick  
Murotake, David  
Roberts, Carol

Rosenwald, Cindy  
Soucy, Timothy  
Walsh, Robert

Shattuck, Gilman  
Straight, Phillip  
Williams, Kermit

Shaw, Barbara  
Sullivan, Daniel  
Woodbury, David

Snow, Kendall  
Takesian, Charlene

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Deloge, Helen  
Gile, Mary  
Kidder, David  
Marple, Richard  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Doherty, David  
Henle, Paul  
Long, Douglas  
Moffett, Howard  
Saunderson, George  
Wallner, Mary Jane

Brewster, Michael  
Ebel, Karen  
Hoell, J.R.  
Luneau, David  
Myler, Mel  
Schuett, Dianne  
Wheeler, Deborah

### ROCKINGHAM

Azarian, Gary  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Gordon, Pamela  
Heffron, Frank  
Moody, Marcia  
Ward, Gerald

Berrien, Skip  
Cardon, G. Thomas  
Elliott, Robert  
Gordon, Richard  
Katsakiores, Phyllis  
Pantelakos, Laura

Borden, David  
Cook, Allen  
Fesh, Robert  
Green, Dennis  
Lovejoy, Patricia  
Sherman, Thomas

Cahill, Michael  
Cushing, Robert  
Francese, Paula  
Guthrie, Joseph  
Manning, John  
Simpson, Alexis

### STRAFFORD

Baber, William  
Burton, Wayne  
Jones, Laura  
Spang, Judith

Berube, Roger  
Cilley, Jacalyn  
Kaen, Naida  
Treleven, Susan

Bickford, David  
DiSesa, Len  
Rollo, Deanna  
Wall, Janet

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter

### SULLIVAN

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

and the majority committee report failed.

### MOTION TO LAY ON THE TABLE

Rep. Hinch moved that **SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court, be laid on the table.

Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 152 NAYS 157**

### YEAS - 152

#### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Howard, Jr., Raymond  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

#### CARROLL

Avellani, Lino  
Nelson, Bill

Cordelli, Glenn  
Umberger, Karen

McCarthy, Frank  
Wright, Ted

McConkey, Mark

#### CHESHIRE

Bordenet, John

Hunt, John

#### COOS

Richardson, Herbert

Rideout, Leon

Tholl, John

#### GRAFTON

Gionet, Edmond

Johnson, Eric

Ladd, Rick

**HILLSBOROUGH**

Ammon, Keith	Balcom, John	Belanger, James	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christie, Rick	Danielson, David	Eastman, Eric	Edelblut, Frank
Ferreira, Elizabeth	Gagne, Larry	Gargas, Carolyn	Gould, Linda
Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Hinch, Richard
Hogan, Edith	Infantine, William	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Pierce, David
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Scoutsas, Lisa	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Straight, Phillip	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Wolf, Terry		

**MERRIMACK**

Brewster, Michael	French, Harold	Hess, David	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Martin, John	McGuire, Carol	McGuire, Dan	Parent, Jason
Walsh, Thomas			

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Bush, Carol	Chase, Francis	Christie, Andrew
Dean-Bailey, Yvonne	Devine, James	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Green, Dennis	Griffin, Mary	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Kappler, Lawrence
Kolodziej, Walter	Lundgren, David	Manning, John	Matthews, Carolyn
McKinney, Betsy	McMahon, Charles	Osborne, Jason	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Tasker, Kyle	Tilton, Rio	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John	Pitre, Joseph
Sprague, Dale	Turcotte, Leonard	Whitehouse, Joshua	

**SULLIVAN**

Laware, Thomas	Smith, Steven
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**NAYS - 157****BELKNAP**

Gallagher, Brian	Varney, Peter
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**CARROLL**

Buco, Thomas	Comeau, Ed	Parker, Harold	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Eaton, Daniel
Johnsen, Gladys	Ley, Douglas	Mann, John	McConnell, James
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

**COOS**

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hull, Robert
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Adams, Christopher	Backus, Robert	Beaulieu, Jane	Brown, Pamela
Christiansen, Lars	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Edwards, Elizabeth	Estevez, Eric	Forest, Armand
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Peterson, Ken	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kidder, David
Luneau, David	MacKay, James	Marple, Richard	Moffett, Howard
Myler, Mel	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Seaworth, Brian	Shurtleff, Stephen	Turcotte, Alan
Walner, Mary Jane	Wheeler, Deborah		

**ROCKINGHAM**

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cook, Allen	Cushing, Robert
DiFranco, Debbie	Elliott, Robert	Fesh, Robert	Francese, Paula
Gordon, Pamela	Gordon, Richard	Guthrie, Joseph	Heffron, Frank
Itse, Daniel	Katsakiores, Phyllis	Lovejoy, Patricia	Moody, Marcia
Pantelakos, Laura	Peckham, Michele	Sherman, Thomas	Simpson, Alexis
Ward, Gerald			

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Spang, Judith
Treleaven, Susan	Wall, Janet	Wuelper, Kurt	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Oxenham, Lee	Rollins, Skip

and the motion failed.

Rep. Weber moved the minority committee report of Ought to Pass and offered floor amendment (2477h).

**Floor Amendment (2477h)**

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall submit an initial report of its findings and any recommendations for proposed legislation or resolution on or before June 1, 2016 and a final report of its findings and any recommendations for proposed legislation or resolution on or before November 1, 2016 to the New Hampshire congressional delegation, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

Rep. Weber spoke in favor.

On a division vote, with 178 members having voted in the affirmative and 130 in the negative, floor amendment (2477h) was adopted.

The question now being adoption of the minority committee report of Ought to Pass with Amendment.  
Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 156 NAYS 152****YEAS - 156****BELKNAP**

Gallagher, Brian	Hurt, George	Varney, Peter
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**CARROLL**

Buco, Thomas	Comeau, Ed	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Eaton, Daniel
Johnsen, Gladys	Ley, Douglas	Mann, John	McConnell, James
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

**COOS**

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hull, Robert
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Brown, Pamela	Christiansen, Lars
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Edwards, Elizabeth	Estevez, Eric	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	Peterson, Ken
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kidder, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

**ROCKINGHAM**

Azarian, Gary	Berrien, Skip	Borden, David	Bush, Carol
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cook, Allen
Cushing, Robert	DiFranco, Debbie	Duarte, Joe	Elliott, Robert
Fesh, Robert	Francesse, Paula	Gordon, Pamela	Gordon, Richard
Guthrie, Joseph	Heffron, Frank	Itse, Daniel	Katsakiores, Phyllis
Lovejoy, Patricia	Moody, Marcia	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Ward, Gerald		

**STRAFFORD**

Baber, William  
Burton, Wayne  
Kaen, Naida  
Treleaven, Susan

Berube, Roger  
Cilley, Jacalyn  
Rollo, Deanna  
Wall, Janet

Bickford, David  
DiSesa, Len  
Schmidt, Peter  
Wuelper, Kurt

Bixby, Peter  
Horrigan, Timothy  
Spang, Judith

**SULLIVAN**

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Oxenham, Lee

**NAYS - 152****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Sylvia, Michael

Dumais, Russell  
Howard, Jr., Raymond  
Tilton, Franklin

Fields, Dennis  
Luther, Robert  
Vadney, Herbert

Flanders, Donald  
Spanos, Peter

**CARROLL**

Avellani, Lino  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Umberger, Karen

McConkey, Mark  
Wright, Ted

**CHESHIRE**

Bordenet, John

Hunt, John

**COOS**

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Gionet, Edmond

Johnson, Eric

Ladd, Rick

Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Gould, Linda  
Hinch, Richard  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Pierce, David  
Sanborn, Laurie  
Souza, Kathleen  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Ferreira, Elizabeth  
Griffin, Barbara  
Hogan, Edith  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Proulx, Mark  
Scotsas, Lisa  
Straight, Phillip  
Wolf, Terry

Balcom, John  
Burt, John  
Danielson, David  
Gagne, Larry  
Halstead, Carolyn  
Infantine, William  
Marston, Dick  
Moore, Josh  
Ober, Lynne  
Parison, James  
Rice, Kimberly  
Simmons, Tammy  
Sullivan, Victoria

Belanger, James  
Byron, Frank  
Eastman, Eric  
Gargas, Carolyn  
Hansen, Peter  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Smith, Gregory  
Twombly, Timothy

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

Hess, David  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Devine, James  
Griffin, Mary

Allen, Mary  
Chase, Francis  
Emerick, J. Tracy  
Harris, Jeffrey

Baldasaro, Alfred  
Christie, Andrew  
Gannon, William  
Hodgdon, Bruce

Barnes, Arthur  
Dean-Bailey, Yvonne  
Green, Dennis  
Hoelzel, Kathleen



Introne, Robert  
Manning, John  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James

Kappler, Lawrence  
Matthews, Carolyn  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela  
Welch, David

Kolodziej, Walter  
McKinney, Betsy  
Potucek, John  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

Lundgren, David  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

### STRAFFORD

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Sprague, Dale

### SULLIVAN

Smith, Steven

and the minority committee report was adopted and ordered to third reading.

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Shurtleff moved that the House reconsider its action whereby, on a roll call vote of 156-152, the House adopted the minority committee report of Ought to Pass with Amendment on **SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.

Rep. Shurtleff spoke against.

Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 160    NAYS 149**

### YEAS - 160

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Sylvia, Michael

Dumais, Russell  
Hurt, George  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

Fraser, Valerie  
Spanos, Peter  
Varney, Peter

#### CARROLL

Avellani, Lino  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Umberger, Karen

### CHESHIRE

Hunt, John

### COOS

Richardson, Herbert

Rideout, Leon

Tholl, John

### GRAFTON

Gionet, Edmond  
Shackett, Jeffrey

Ingbretson, Paul

Johnson, Eric

Ladd, Rick

### HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Gargas, Carolyn  
Hansen, Peter  
Kurk, Neal

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Gould, Linda  
Hinch, Richard  
Lachance, Joseph

Balcom, John  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Griffin, Barbara  
Hogan, Edith  
LeBrun, Donald

Belanger, James  
Byron, Frank  
Danielson, David  
Gagne, Larry  
Halstead, Carolyn  
Infantine, William  
Marston, Dick

McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Simmons, Tammy  
Sullivan, Victoria

McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Pierce, David  
Rowe, Robert  
Smith, Gregory  
Twombly, Timothy

McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Proulx, Mark  
Sanborn, Laurie  
Souza, Kathleen  
Ulery, Jordan

Moore, Josh  
Ober, Lynne  
Parison, James  
Rice, Kimberly  
Scontsas, Lisa  
Straight, Phillip  
Wolf, Terry

### **MERRIMACK**

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

Hess, David  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

### **ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Cook, Allen  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
Potucek, John  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

Allen, Mary  
Bush, Carol  
Dean-Bailey, Yvonne  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

Baldasaro, Alfred  
Chase, Francis  
Devine, James  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James

Barnes, Arthur  
Christie, Andrew  
DiFranco, Debbie  
Green, Dennis  
Hoelzel, Kathleen  
Lundgren, David  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela  
Welch, David

### **STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

Graham, Robert  
Jones, Laura  
Sprague, Dale

### **SULLIVAN**

Laware, Thomas

Smith, Steven

### **NAYS - 149**

### **BELKNAP**

Fields, Dennis

Gallagher, Brian

### **CARROLL**

Buco, Thomas

Ticehurst, Susan

### **CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
McConnell, James  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Berch, Paul  
Ley, Douglas  
Pearson, William  
Tatro, Bruce

Bordenet, John  
Mann, John  
Phillips, Larry  
Tilton, Benjamin

### **COOS**

Fothergill, John

Moynihan, Wayne

Rappaport, Laurence

Thomas, Yvonne

### **GRAFTON**

Abel, Richard  
Darrow, Stephen  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
White, Andrew

Brown, Chris  
Hennessey, Erin  
Nordgren, Sharon

Cooney, Mary  
Hull, Robert  
Sykes, George

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Brown, Pamela	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	Edwards, Elizabeth
Estevez, Eric	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Jack, Martin
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	Peterson, Ken	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene
Vann, Ivy	Walsh, Robert	Williams, Kermit	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kidder, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

**ROCKINGHAM**

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	Duarte, Joe
Elliott, Robert	Francese, Paula	Gordon, Pamela	Gordon, Richard
Guthrie, Joseph	Heffron, Frank	Itse, Daniel	Katsakiores, Phyllis
Lovejoy, Patricia	Manning, John	McKinney, Betsy	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Spang, Judith
Treleaven, Susan	Wall, Janet		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Oxenham, Lee	Rollins, Skip

and the motion was adopted.

**MOTION TO LAY ON THE TABLE**

Reps. Hinch and Shurtleff moved that **SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court, be laid on the table.  
Motion adopted.

**MOTION TO RECESS**

Rep. Kappler moved that the House stand in Recess until January 20, 2016.  
Rep. Simmons spoke against.  
Rep. Kappler spoke in favor.  
Rep. Kappler withdrew his motion to Recess.

**REMOVED FROM THE TABLE**

Reps. Hinch and Shurtleff moved that **SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court, be removed from the table.  
Motion adopted.

The question being adoption of the minority committee report of Ought to Pass with Amendment.  
Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 144 NAYS 159****YEAS - 144****BELKNAP**

Gallagher, Brian

Varney, Peter

**CARROLL**

Bucu, Thomas

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Eaton, Daniel

Johnsen, Gladys

Ley, Douglas

Mann, John

McConnell, James

Parkhurst, Henry

Pearson, William

Phillips, Larry

Robertson, Timothy

Shepardson, Marjorie

Tatro, Bruce

Tilton, Benjamin

Weber, Lucy

**COOS**

Fothergill, John

Moynihan, Wayne

Rappaport, Laurence

Thomas, Yvonne

**GRAFTON**

Abel, Richard

Almy, Susan

Brown, Chris

Cooney, Mary

Darrow, Stephen

Ford, Susan

Hull, Robert

Maes, Kevin

Massimilla, Linda

Nordgren, Sharon

Sykes, George

Townsend, Charles

White, Andrew

**HILLSBOROUGH**

Backus, Robert

Baroody, Benjamin

Beaulieu, Jane

Brown, Pamela

Christiansen, Lars

Cohen, Alan

Cornell, Patricia

Cote, David

Edwards, Elizabeth

Estevez, Eric

Forest, Armand

Freitas, Mary

Gidge, Kenneth

Goley, Jeffrey

Gonzalez, Carlos

Gorman, Mary

Guerette, C. Lee

Hansberry, Daniel

Harvey, Suzanne

Heath, Mary

Herbert, Christopher

Jack, Martin

Leishman, Peter

Long, Patrick

Mangipudi, Latha

Manley, Jonathan

McNamara, Richard

O'Brien, Michael

Peterson, Ken

Porter, Marjorie

Rosenwald, Cindy

Shattuck, Gilman

Shaw, Barbara

Snow, Kendall

Soucy, Timothy

Sullivan, Daniel

Takesian, Charlene

Vann, Ivy

Walsh, Robert

Williams, Kermit

Woodbury, David

**MERRIMACK**

Alicea, Caroletta

Bartlett, Christy

Bradley, Paula

Carson, Clyde

Deloge, Helen

Doherty, David

Ebel, Karen

Frazer, June

Gile, Mary

Henle, Paul

Karrick, David

Kidder, David

Luneau, David

MacKay, James

Moffett, Howard

Myler, Mel

Ratzki, Mario

Rogers, Katherine

Saunderson, George

Schuett, Dianne

Shurtleff, Stephen

Turcotte, Alan

Wallner, Mary Jane

Wheeler, Deborah

**ROCKINGHAM**

Azarian, Gary

Berrien, Skip

Borden, David

Cahill, Michael

Cali-Pitts, Jacqueline

Cardon, G. Thomas

Cushing, Robert

DiFranco, Debbie

Elliott, Robert

Francese, Paula

Gordon, Pamela

Gordon, Richard

Guthrie, Joseph

Heffron, Frank

Itse, Daniel

Lovejoy, Patricia

Moody, Marcia

Pantelakos, Laura

Sherman, Thomas

Simpson, Alexis

Ward, Gerald

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Wall, Janet

Bickford, David  
DiSesa, Len  
Schmidt, Peter

Bixby, Peter  
Horrigan, Timothy  
Spang, Judith

Burton, Wayne  
Kaen, Naida  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne

**NAYS - 159****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Howard, Jr., Raymond  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Hunt, John

**COOS**

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Gionet, Edmond  
Ladd, Rick

Hennessey, Erin

Ingretson, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Gargas, Carolyn  
Hansen, Peter  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Proulx, Mark  
Sanborn, Laurie  
Straight, Phillip  
Wolf, Terry

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Gould, Linda  
Hinch, Richard  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Parison, James  
Rice, Kimberly  
Simmons, Tammy  
Sullivan, Victoria

Balcom, John  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Griffin, Barbara  
Hogan, Edith  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Rouillard, Claire  
Smith, Gregory  
Twombly, Timothy

Belanger, James  
Byron, Frank  
Danielson, David  
Gagne, Larry  
Halstead, Carolyn  
Infantine, William  
Marston, Dick  
Moore, Josh  
Ober, Lynne  
Pierce, David  
Rowe, Robert  
Souza, Kathleen  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Seaworth, Brian

French, Harold  
Kotowski, Frank  
Martin, John  
Walsh, Thomas

Hess, David  
Kuch, Bill  
McGuire, Carol

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Cook, Allen  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert

Allen, Mary  
Bush, Carol  
Dean-Bailey, Yvonne  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence

Baldasaro, Alfred  
Chase, Francis  
Devine, James  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis

Barnes, Arthur  
Christie, Andrew  
Duarte, Joe  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter

Manning, John  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James

Matthews, Carolyn  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela  
Welch, David

McKinney, Betsy  
Potucek, John  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

### STRAFFORD

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

Graham, Robert  
Jones, Laura  
Sprague, Dale

### SULLIVAN

Laware, Thomas  
and the motion failed.

Smith, Steven

Rep. Kurk moved Inexpedient to Legislate.

Rep. Spanos requested a roll call; sufficiently seconded.

**YEAS 166 NAYS 137**

### YEAS - 166

### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter  
Varney, Peter

Dumais, Russell  
Howard, Jr., Raymond  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

### CARROLL

Avellani, Lino  
Cordelli, Glenn  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Nelson, Bill

### CHESHIRE

Bordenet, John

Hunt, John

### COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

### GRAFTON

Gionet, Edmond  
Ladd, Rick

Hennessey, Erin

Ingbretson, Paul

Johnson, Eric

### HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Gagne, Larry  
Griffin, Barbara  
Hogan, Edith  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Rouillard, Claire  
Smith, Gregory  
Twombly, Timothy

Ammon, Keith  
Boehm, Ralph  
Christiansen, Lars  
Eastman, Eric  
Gargas, Carolyn  
Halstead, Carolyn  
Infantine, William  
Marston, Dick  
Moore, Josh  
Ober, Lynne  
Pierce, David  
Rowe, Robert  
Souza, Kathleen  
Ulery, Jordan

Balcom, John  
Burt, John  
Christie, Rick  
Edelblut, Frank  
Gonzalez, Carlos  
Hansen, Peter  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Proulx, Mark  
Sanborn, Laurie  
Straight, Phillip  
Wolf, Terry

Belanger, James  
Byron, Frank  
Coffey, James  
Ferreira, Elizabeth  
Gould, Linda  
Hinch, Richard  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Parison, James  
Rice, Kimberly  
Simmons, Tammy  
Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Seaworth, Brian

French, Harold  
Kotowski, Frank  
Martin, John  
Walsh, Thomas

Hess, David  
Kuch, Bill  
McGuire, Carol

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Christie, Andrew  
Duarte, Joe  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

Allen, Mary  
Bates, David  
Cook, Allen  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Manning, John  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James

Azarian, Gary  
Bush, Carol  
Dean-Bailey, Yvonne  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
Matthews, Carolyn  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela  
Welch, David

Baldasaro, Alfred  
Chase, Francis  
Devine, James  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McKinney, Betsy  
Potucek, John  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

Graham, Robert  
Jones, Laura  
Sprague, Dale

**SULLIVAN**

Laware, Thomas

Smith, Steven

**NAYS - 137****BELKNAP**

Gallagher, Brian

**CARROLL**

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Ley, Douglas  
Pearson, William  
Tatro, Bruce

Berch, Paul  
Mann, John  
Phillips, Larry  
Tilton, Benjamin

Eaton, Daniel  
McConnell, James  
Robertson, Timothy  
Weber, Lucy

**COOS**

Moynihan, Wayne

Rappaport, Laurence

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Massimilla, Linda  
White, Andrew

Almy, Susan  
Ford, Susan  
Nordgren, Sharon

Brown, Chris  
Hull, Robert  
Sykes, George

Cooney, Mary  
Maes, Kevin  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Cohen, Alan  
Estevez, Eric  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter

Baroody, Benjamin  
Cornell, Patricia  
Forest, Armand  
Gorman, Mary  
Heath, Mary  
Long, Patrick

Beaulieu, Jane  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Mangipudi, Latha

Brown, Pamela  
Edwards, Elizabeth  
Gidge, Kenneth  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan

McNamara, Richard  
Rosenwald, Cindy  
Soucy, Timothy  
Walsh, Robert

O'Brien, Michael  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Peterson, Ken  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

Porter, Marjorie  
Snow, Kendall  
Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
Gile, Mary  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Henle, Paul  
MacKay, James  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
Frazer, June  
Kidder, David  
Myler, Mel  
Schuett, Dianne  
Wheeler, Deborah

### ROCKINGHAM

Berrien, Skip  
Cardon, G. Thomas  
Francese, Paula  
Heffron, Frank  
Pantelakos, Laura

Borden, David  
Cushing, Robert  
Gordon, Pamela  
Itse, Daniel  
Sherman, Thomas

Cahill, Michael  
DiFranco, Debbie  
Gordon, Richard  
Lovejoy, Patricia  
Simpson, Alexis

Cali-Pitts, Jacqueline  
Elliott, Robert  
Guthrie, Joseph  
Moody, Marcia  
Ward, Gerald

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Wall, Janet

Bickford, David  
DiSesa, Len  
Schmidt, Peter

Bixby, Peter  
Horrigan, Timothy  
Spang, Judith

Burton, Wayne  
Kaen, Naida  
Treleaven, Susan

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne

and the motion was adopted.

### (Rep. Chandler in the Chair)

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Carol McGuire moved that the House reconsider its action whereby, on a roll call vote of 166-137, the House adopted the motion of Inexpedient to Legislate on **SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.

Rep. Kappler requested a roll call; not sufficiently seconded.

Motion failed.

### REGULAR CALENDAR CONT'D

**HB 226**, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill would allow a municipality to borrow from existing funds that have been set aside for particular purposes for future expenditures. While using funds which have been set aside and are not currently in use is like borrowing from one's own savings account sounds like a great idea, looking deeper into it brought out some unintended pitfalls. Despite a constructive attempt to alter the original bill with an amendment, a bi-partisan majority of the Municipal and County Government Committee believes that potential problems still exist. The bill allows the governing body of a municipality to borrow beyond its current fiscal year with a 2/3 vote of the legislative body. This means that for a town it could only be accomplished at an annual meeting and would resemble a self-funded bond issue. It would also require a higher percentage to pass in **SB 2** municipalities which normally require a sixty percent vote. The idea of reducing municipal costs by safe use of a temporary surplus in another fund should be explored further, but this bill could create more problems than it resolves. Vote 10-3. Committee report adopted.



**HB 430**, relative to extending the veterans' property tax credit to all honorably discharged veterans. **OUGHT TO PASS.**

Rep. Francis Chase for Municipal and County Government. This bill was one of three that concerned veterans' issues and was considered, by the committee, to be the most deserving. Municipalities vote to set the maximum amount of a tax credit given to eligible veterans between \$50 and \$500. There is a gap in the eligibility period at the end of the Korean War and the beginning of the Viet Nam conflict where veterans who served, regardless of where, are not eligible. This causes a veteran who may have served in a combat area to be denied the credit while a veteran serving in the States during another period is eligible. The current statute does not address where one served as much as when. Some veterans were getting the credit but lost it when some municipalities realized there was a gap in the eligibility period. This bill removes that gap and treats all veterans serving during the entire period the same without discrimination. The subject of making this enabling was not considered seriously by the committee as it would have created different classes of veterans between municipalities. Vote 13-0. Committee report adopted and ordered to third reading.

**SB 146**, relative to accessory dwelling units. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Belanger for Municipal and County Government. Senate Bill 146, a bill relative to accessory dwelling units, is much improved since its inception. A bipartisan subcommittee received substantive input from planning and zoning experts, municipal officials, and private industry representatives as well as several governing bodies. The resulting bill responds to overwhelming consumer demand for housing diversity and affordability, while at the same time, minimizing the potential for unintended consequences with careful wording. The bill allows accessory dwelling units to be established in the predominantly residential areas of all New Hampshire communities. This will help serve the needs of our state's aging and disabled populations, and will help address the desire of our younger residents to remain here to live and work by providing more affordable housing options. The bill includes several carefully drafted safeguards that ensure important municipal controls. Such controls include the ability to adopt conditional use or special exception requirements, the ability to require the "look and feel" of single family homes, incorporation of the accessory dwelling unit into the primary dwelling, and sizing and setback regulations that address well-grounded concerns about overburdening and unreasonable impacts upon neighbors and residential neighborhoods. The legislation also clarifies that municipalities may allow detached accessory dwelling units, but they are not required to do so. Finally, the bill allows municipalities to count qualifying accessory dwelling units toward their required fair share under the state's workforce housing law. The amended bill is an effective compromise that addresses almost every concern that was raised before the committee, and it contains numerous safeguards that will protect municipal interests while also helping to meet the needs of our changing population and allowing all homeowners fuller use of their property. Vote 11-2.

**Amendment (2424h)**

Amend the bill by replacing section 2 with the following:

2 New Subdivision; Accessory Dwelling Units. Amend RSA 674 by inserting after section 70 the following new subdivision:

**Accessory Dwelling Units**

674:71 Definition. As used in this subdivision, "accessory dwelling unit" means a residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

**674:72 Accessory Dwelling Units.**

I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this chapter shall allow accessory dwelling units as a matter of right or by either conditional use permit pursuant to RSA 674:21 or by special exception, in all zoning districts that permit single-family dwellings. One accessory dwelling unit shall be allowed without additional requirements for lot size, frontage, space limitations, or other controls beyond what would be required for a single-family dwelling without an accessory dwelling unit. The municipality is not required to allow more than one accessory dwelling unit for any single-family dwelling.

II. If a zoning ordinance contains no provisions pertaining to accessory dwelling units, then one accessory dwelling unit shall be deemed a permitted accessory use, as a matter of right, to any single-family dwelling in the municipality, and no municipal permits or conditions shall be required other than a building permit, if necessary.

III. An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit, but a municipality shall not require that it remain unlocked.

IV. Any municipal regulation applicable to single-family dwellings shall also apply to the combination of a principal dwelling unit and an accessory dwelling unit including, but not limited to lot coverage standards and standards for maximum occupancy per bedroom consistent with policy adopted by the United States Department of Housing and Urban Development. A municipality may require adequate parking to accommodate an accessory dwelling unit.

V. The applicant for a permit to construct an accessory dwelling unit shall make adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling units.

VI. A municipality may require owner occupancy of one of the dwelling units, but it shall not specify which unit the owner must occupy. A municipality may require that the owner demonstrate that one of the units is his or her principal place of residence, and the municipality may establish reasonable regulations to enforce such a requirement.

VII. A municipality may establish standards for accessory dwelling units for the purpose of maintaining the aesthetic continuity with the principal dwelling unit as a single-family dwelling. A municipality may also establish minimum and maximum sizes for an accessory dwelling unit, provided that size may not be restricted to less than 750 square feet.

VIII. A municipality may not require a familial relationship between the occupants of an accessory dwelling unit and the occupants of a principal dwelling unit.

IX. A municipality may not limit an accessory dwelling unit to only one bedroom.

X. An accessory dwelling unit may be deemed a unit of workforce housing for purposes of satisfying the municipality's obligation under RSA 674:59 if the unit meets the criteria in RSA 674:58, IV for rental units.

674:73 Detached Accessory Dwelling Units. A municipality is not required to but may permit detached accessory dwelling units. Detached accessory dwelling units shall comply with the requirements of, and any municipal ordinances or regulations adopted pursuant to, RSA 674:72, IV through IX. If a municipality allows detached accessory dwelling units, it may require an increased lot size. Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect June 1, 2017.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Beaulieu offered floor amendment (3060h).

#### **Floor Amendment (3060h)**

Amend RSA 674:72, VI-VIII as inserted by section 2 of the bill by replacing them with the following:

VI. A municipality shall require owner occupancy of one of the dwelling units, but it shall not specify which unit the owner must occupy. A municipality may require that the owner demonstrate that one of the units is his or her principal place of residence, and the municipality may establish reasonable regulations to enforce such a requirement.

VII. A municipality shall establish standards for accessory dwelling units for the purpose of maintaining the aesthetic continuity with the principal dwelling unit as a single-family dwelling. A municipality may also establish minimum and maximum sizes for an accessory dwelling unit, provided that size may not be restricted to less than 750 square feet.

VIII. A municipality shall require a familial relationship between the occupants of an accessory dwelling unit and the occupants of a principal dwelling unit.

Amend RSA 674:72 as inserted by section 2 of the bill by deleting paragraph X.

Amend section 2 of the bill by deleting RSA 674:73.  
Rep. Beaulieu spoke in favor and yielded to questions.

#### **(Speaker Jasper in the Chair)**

Rep. Beaulieu withdrew floor amendment (3060h).

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Barbara Griffin spoke against and yielded to questions.

Rep. Beaudoin spoke against.

Rep. Porter spoke in favor and yielded to questions.

Rep. Almy requested a roll call; sufficiently seconded.

**YEAS 188    NAYS 93****YEAS - 188****BELKNAP**

Aldrich, Glen	Gallagher, Brian	Spanos, Peter
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**CARROLL**

Avellani, Lino	Buco, Thomas	Comeau, Ed	McCarthy, Frank
McConkey, Mark	Parker, Harold	Ticehurst, Susan	Umberger, Karen

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Ley, Douglas
Mann, John	McConnell, James	Pearson, William	Phillips, Larry
Robertson, Timothy	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

**COOS**

Moynihan, Wayne	Tholl, John
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**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Gionet, Edmond	Hennessey, Erin	Ingbretson, Paul	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Ammon, Keith	Backus, Robert	Balcom, John	Baroody, Benjamin
Belanger, James	Biggie, Barbara	Brown, Pamela	Burt, John
Coffey, James	Cohen, Alan	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Freitas, Mary
Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Guerette, C. Lee	Halstead, Carolyn	Harvey, Suzanne	Heath, Mary
Hinch, Richard	Infantine, William	Jack, Martin	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Mangipudi, Latha	Manley, Jonathan
McClarren, Donald	McLean, Mark	McNamara, Richard	Moore, Josh
Murphy, Keith	O'Brien, Michael	Ober, Lynne	Ober, Russell
Parison, James	Pellegrino, Anthony	Porter, Marjorie	Proulx, Mark
Rice, Kimberly	Sanborn, Laurie	Shattuck, Gilman	Simmons, Tammy
Smith, Gregory	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Sullivan, Victoria	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Harold
Gile, Mary	Henle, Paul	Hoell, J.R.	Karrick, David
Kuch, Bill	Luneau, David	MacKay, James	Martin, John
McGuire, Dan	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rogers, Katherine	Schuetz, Dianne	Seaworth, Brian	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane		

**ROCKINGHAM**

Abrami, Patrick	Azarian, Gary	Bates, David	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Chase, Francis
Christie, Andrew	Cushing, Robert	Dean-Bailey, Yvonne	Devine, James
DiFranco, Debbie	Elliott, Robert	Fesh, Robert	Francese, Paula

Gordon, Pamela  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 McMahon, Charles  
 Potucek, John  
 Simpson, Alexis

Griffin, Mary  
 Introne, Robert  
 Kolodziej, Walter  
 Moody, Marcia  
 Rice, Frederick  
 Spillane, James

Guthrie, Joseph  
 Itse, Daniel  
 Lovejoy, Patricia  
 Osborne, Jason  
 Schroadter, Adam  
 Ward, Gerald

Heffron, Frank  
 Kappler, Lawrence  
 Matthews, Carolyn  
 Pantelakos, Laura  
 Sherman, Thomas  
 Webb, James

### STRAFFORD

Baber, William  
 DiSesa, Len  
 Horrigan, Timothy  
 Spang, Judith

Bixby, Peter  
 Gray, James  
 Jones, Laura  
 Treleaven, Susan

Burton, Wayne  
 Groen, Warren  
 Kaen, Naida  
 Wall, Janet

DeLemus, Susan  
 Hannon, Joseph  
 Schmidt, Peter

### SULLIVAN

Cloutier, John  
 Irwin, Virginia

Converse, Larry  
 Oxenham, Lee

Gagnon, Raymond  
 Smith, Steven

Gottling, Suzanne

### NAYS - 93

### BELKNAP

Dumais, Russell  
 Howard, Jr., Raymond  
 Vadney, Herbert

Fields, Dennis  
 Hurt, George  
 Varney, Peter

Flanders, Donald  
 Luther, Robert

Fraser, Valerie  
 Tilton, Franklin

### CARROLL

Chandler, Gene

Cordelli, Glenn

Nelson, Bill

Wright, Ted

### COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Thomas, Yvonne

### GRAFTON

Darrow, Stephen

Hull, Robert

Johnson, Eric

Ladd, Rick

### HILLSBOROUGH

Adams, Christopher  
 Christensen, Chris  
 Forest, Armand  
 Griffin, Barbara  
 Long, Patrick  
 Rouillard, Claire  
 Straight, Phillip  
 Wolf, Terry

Beaulieu, Jane  
 Christie, Rick  
 Gagne, Larry  
 Hansberry, Daniel  
 Marston, Dick  
 Rowe, Robert  
 Takesian, Charlene

Boehm, Ralph  
 Cornell, Patricia  
 Gorman, Mary  
 Hogan, Edith  
 Murotake, David  
 Shaw, Barbara  
 Twombly, Timothy

Byron, Frank  
 Danielson, David  
 Gould, Linda  
 Kurk, Neal  
 Pierce, David  
 Souza, Kathleen  
 Ulery, Jordan

### MERRIMACK

Brewster, Michael  
 Kidder, David  
 McGuire, Carol

Ebel, Karen  
 Kotowski, Frank  
 Saunderson, George

Hess, David  
 Long, Douglas  
 Walsh, Thomas

Horn, Werner  
 Marple, Richard  
 Wheeler, Deborah

### ROCKINGHAM

Allen, Mary  
 Emerick, J. Tracy  
 Hodgdon, Bruce  
 Tilton, Rio  
 Weyler, Kenneth

Barnes, Arthur  
 Gordon, Richard  
 Manning, John  
 Vose, Michael  
 Woitkun, Steven

Bush, Carol  
 Green, Dennis  
 Peckham, Michele  
 Ward, Joanne

Cook, Allen  
 Harris, Jeffrey  
 Tasker, Kyle  
 Welch, David

### STRAFFORD

Beaudoin, Steven  
 Kaczynski, Jr., Thomas  
 Turcotte, Leonard

Bickford, David  
 Leeman, Don  
 Wuelper, Kurt

Cheney, Catherine  
 Mullen, John

Graham, Robert  
 Sprague, Dale

**SULLIVAN**

Laware, Thomas

Rollins, Skip

and the committee report was adopted and ordered to third reading.

**HB 297**, protecting individual customer data from disclosure by a public utility. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Glen Aldrich for the Majority of Science, Technology and Energy. The purpose of this bill is to protect a utility customer's personal data and to streamline the exchange of customer complaint data between the PUC and the office of consumer advocate. No evidence surfaced that utility customer data was in any way at risk. In fact all utilities stated they took great pains to protect this data. It seems this bill was a solution looking for a problem. The PUC said that it already has the authority to share customer complaint data with the consumer advocate making this bill unnecessary. Vote 12-8. Rep. David Borden for the Minority of Science, Technology and Energy. Although the NH executive branch is one of the least expensive in the nation on a per capita basis, there are processes which are overly bureaucratic and wasteful. The minority feels that it is the role of the legislature to streamline processes thus lowering the cost of government. The Public Utilities Commission requested this bill as a way to improve the flow and usefulness of customer information while also protecting privacy rights.

**MOTION TO LAY ON THE TABLE**

Rep. Introne moved that **HB 297**, protecting individual customer data from disclosure by a public utility, be laid on the table.  
Motion adopted.

**REGULAR CALENDAR CONT'D**

**HB 334**, relative to the sale of personally identifiable information by Internet service providers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Backus for Science, Technology and Energy. This bill, as amended, establishes a committee to study ways of requiring internet service providers to keep the personal information of customers confidential. It would establish a committee of 5 members, 3 members of the House and 2 members of the Senate. The study committee is to issue its report by November 1, 2016. As originally presented, the bill would have defined personally identifiable information, internet service provider, and require a customer to "opt in," rather than "opt out," before personally identifying information could be shared. While the committee generally shared the sponsor's concern about securing the privacy of personally identifiable information from unwanted disclosure to third parties, it became clear that this was a subject that required more time and expertise than was readily available to the committee or the sponsor. With the agreement of the sponsor, the bill was then amended to provide for a study committee so that necessary legal and technical assistance could be brought to bear to help assure effective legislation may be introduced as a result. Vote 14-6.

**Amendment (2359h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall:

I. Define "Internet service providers".

II. Define "personally identifiable information".

III. Establish criteria for protecting the personally identifiable information of New Hampshire residents from being shared by entities that obtain such information by providing Internet service.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016

6 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 369-FN-A-L**, establishing a defined contribution retirement plan for public employees. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Frank Edelblut for the Majority of Special Committee on Public Employee Pension Plans. The committee recommends Interim Study to allow further exploration of “stacked hybrid” plans using this bill as a framework. Stacked plans return a component of a defined benefit plan (DB) up to a certain wage level with a defined contribution plan (DC) above that level. Vote 8-5.

Rep. Jeffrey Goley for the Minority of Special Committee on Public Employee Pension Plans. The reason for referring this bill for Interim Study was to use it as a vehicle to look at and study stacked hybrid plans. We believe the committee already has the ability to look at and study any plan without the need of legislation. There have already been numerous study commissions that have looked at the retirement system, including the subject addressed in this bill, which is establishing a defined contribution plan. If legislation is needed going forward there is already a bill that has been introduced for the upcoming session dealing with cash balance plans that can be used. Therefore the minority of the committee believes this legislation is not needed.

The question being adoption of the majority committee report of Refer for Interim Study.

Rep. Goley spoke against and yielded to questions.

Rep. Edelblut spoke in favor.

Majority committee report adopted.

**HB 556-FN-L**, establishing a cash balance plan for public employees in the retirement system. **REFER FOR INTERIM STUDY.**

Rep. Gary Azarian for Special Committee on Public Employee Pension Plans. The majority of the committee recommended Interim Study for this bill for the following reason: this bill, as presented, is a bare bones approach to moving the system towards a cash balance plan. The complexities to move New Hampshire to a cash balance plan modeled after the successful plans of Nebraska and Kansas merit a true Interim Study so that successful legislation can be brought forward for the benefit of the state, those employees currently in the system, and those who will join the system. Vote 9-4.

### MOTION TO LAY ON THE TABLE

Rep. Goley moved that **HB 556-FN-L**, establishing a cash balance plan for public employees in the retirement system, be laid on the table.

On a division vote, with 130 members having voted in the affirmative and 139 in the negative, the motion failed.

The question now being adoption of the committee report of Refer for Interim Study.

On a division vote, with 170 members having voted in the affirmative and 97 in the negative, the committee report was adopted.

### SPECIAL ORDERED

Without objection, the Speaker made the remaining bills on today’s calendar Special Orders for the Session of January 20, 2016.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, January 20, 2016 at 10:00 a.m..

**LATE SESSION****Third Reading and Final Passage**

**HB 499**, permitting New Hampshire farmers to sell farm-raised bison directly to the public.

**HB 533**, to installation requirements for arc-fault circuit interrupters.

**HB 661-FN**, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

**HB 500**, repealing the prohibition on the use of silencing devices for taking wildlife.

**SB 203-FN**, relative to review of eligibility for workers' compensation.

**HB 430**, relative to extending the veterans' property tax credit to all honorably discharged veterans.

**SB 146**, relative to accessory dwelling units.

**HB 334**, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

**RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 4:30 p.m.

**RECESS**

**(Rep. Hoelzel in the Chair)**

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bill numbered 1698 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.  
Motion adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading and referral**

**HB 1698-FN**, relative to an integrative approach to substance abuse disorders. (V. Fraser, Belk. 1; Rouillard, Hills. 6; Suzanne Smith, Graf. 8; L. Ober, Hills. 37; Cheney, Straf. 17; Bradley, Dist 3; Health, Human Services and Elderly Affairs)

**SENATE MESSAGES****CONCURRENCE**

**HB 331**, relative to absences among selectmen on election day.

**HB 555**, relative to participation of chartered public school students in school district co-curricular activities.

**NONCONCURRENCE**

**HB 346**, relative to criminal history records checks for school employees and volunteers.

**HB 463**, relative to state agency communications.

**HB 529**, relative to party conventions.

**REFERRED FOR INTERIM STUDY**

**HB 689**, relative to adoption of a default budget.

**RECESS****(Speaker Jasper in the Chair)****RESOLUTION**

Rep. Chandler offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bill numbered 1699 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.

Motion adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading and referral**

**HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. (Hinch, Hills. 21; Bradley, Dist 3; Executive Departments and Administration)

**REFERRAL DECLINED**

Rep. Andrew Christie, Chairman of the Committee on Executive Departments and Administration, under the provisions of House Rule 46 (f), declined the referral of **HB 301**, establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level.

**RECESS****(Speaker Jasper in the Chair)****RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 369, 447 and 576 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

**INTRODUCTION OF SENATE BILLS****First, second reading and referral**

**SB 369-FN**, requiring public schools to include drug and alcohol education as part of their health education curriculum. (Education)

**SB 447-FN**, establishing a commission to study Narcan. (Criminal Justice and Public Safety)

**SB 576-FN-A**, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. (Criminal Justice and Public Safety)

**SENATE MESSAGES****CONCURRENCE**

**HB 502**, relative to petitions for verification of checklists.

**NONCONCURRENCE**

**HB 521**, relative to the size of the pool of the workers' compensation appeals board.

**RECESS****(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.



## HOUSE JOURNAL NO. 3

Wednesday, January 20, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Almighty God, You are the source of energy, productivity, restoration, creativity, and life. When the bitter cold permeates our very bones, may the warmth of Your Spirit invigorate us. When darkness falls before the day is complete, may the light of Your Spirit renew our vision and enhance the work of our hands. When we are surrounded by the bleakness of bare branches and withered plants, may the hope of Your Spirit flourish within us and feed our souls. When the earth is frozen and hidden by ice and snow, may the wisdom of Your Spirit enable us to see beyond what is to what could be. And when the harsh winds overwhelm us and take our breath away, may the power of Your Spirit breathe new life into our bodies, minds and spirits. Creator of all that is, inspire us to break free from the bonds of winter and make us Your bearers of warmth, light, hope, wisdom, and life-giving power. Amen.

Representative Kuch, member from Bow, led the Pledge of Allegiance.

The National Anthem was sung by Jake Harkins, a senior at Bow High School.

### UNANIMOUS CONSENT

Rep. Suzanne Smith requested Unanimous Consent of the House regarding memorial remarks for the former Representative from Campton, the Honorable James Aguiar.

Rep. Suzanne Smith addressed the House.

### MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Suzanne Smith be printed in the Permanent Journal. Motion adopted.

### REMARKS

**Rep. Suzanne Smith:** Good Morning and thank you, Mister Speaker and thank you, members. The honorable Dr. James D. Aguiar was first elected to the New Hampshire House in a special election in December 2005. The Grafton 5 District he was campaigning in for his first try for public office stretched from Orford on the Connecticut River through the Southern White Mountains and the slopes of Moosilauke to Campton, his home on the far side of Interstate 93. I'd say at least 40 miles end to end. That December day was cold and voters rushing from their warm cars to the polls remarked on his fortitude braving the 7-degree weather for his chance to serve in this august body. Jim was elected to serve and he and his wife, Martha, stood together before Governor Lynch to be sworn into office before Session that began January 2006. Jim served on the Resources, Recreation and Development Committee from 2005 until 2014. Regardless of whether the Chair was a Democrat or Republican, Jim dug for answers on issues, worked for the common good and spoke his mind. He fought for what he believed in and was especially proud to have passed marriage equality legislation. His relentless spirit made him a valuable member of the Grafton County Delegation where he served on the executive committee. He strove to adopt county budgets which kept taxes in check while not forsaking the needs of those less fortunate and the social services the county provides. Jim Aguiar lived a good life that ended too soon on August 13, 2015. He was born in Biddeford, Maine on December 10, 1946. He graduated from Biddeford High School where he was a two-time state wrestling champion. Wrestling played an active role throughout his life, as did football. He coached football at the University of Oregon while he pursued his master's degree and in 1974, he and his wife, Martha, moved to Campton, NH where he served as Assistant Professor of Health Education, Assistant Football Coach and Head Wrestling Coach at Plymouth State. After earning his doctorate in 1986, Jim's career took

him to Ithaca College. For retirement, he and his family came home to Campton, if you can call retiring continuing to coach wrestling at PSU and becoming active in New Hampshire politics. At Jim's memorial service in August, grown men who had been led by Coach Aguiar, rose one after another recalling how he had affected their lives for the good. One of these boys, Billy Mitchell, recalled, "Jim was a father figure to me and many others. We had our issues, but I always knew he was behind me and the Panther family." That's the PSU Panthers. Jim coached many All New England wrestlers, including the first NCAA-All American wrestler at Plymouth State. He still holds the record for the most career dual-meet victories over 100 wins. Jim had many passions. He played his Gibson guitar at open mic nights, local fundraisers, and the Campton Farmer's Market. He enjoyed boats, whether sailing or kayaking. He and Martha took time, I don't know how they did with everything else he did, to explore all 7 continents and 50 states. During the 4-years I served with Jim in the Legislature, he spoke often of his daughters, Jessica and Gretchen, and his grandchildren whom he could never spend enough time with. I saw Jim last a couple of weeks before he died. He was happy to be home after many extended hospital stays. Jim and Martha's house, perches above the Pemigewasset River. We visited in his living room, looking over the river that he loved. In the words of New Hampshire singer/songwriter Bill Staines,

*"River take me along in your sunshine. Sing me a song ever moving and winding and free.*

*You rolling old river. You changing old river. Let's you and me, river, run down to the sea."*

The Honorable Dr. James Aguiar, Representative Aguiar, Jim, was a true renaissance man and is missed by all who knew him.

### **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the former member from Campton, the Honorable James Aguiar.

### **INTRODUCTION OF SPECIAL GUEST**

The Speaker welcomed Mrs. Martha Aguiar, guest of the House.

### **LEAVES OF ABSENCE**

Reps. Ronald Belanger, Comtois, DiFranco, Emerson, Gallagher, Gargas, Gidge, Gladys Johnsen, Kellogg, Knowles, Major, Marston, Moody, O'Hearne, Priestley and Sanders, the day, illness. Reps. Beaudoin, Bouldin, Friel, Goulette, Erin Hennessey, Hirsch, Kolodziej, Ley, Long, O'Neil, Packard, Sprague, Daniel Sullivan, Tamburello, Gerald Ward and Kenneth Ward, the day, important business. Reps. Ferrante and Scontsas, the day, death in the family.

### **INTRODUCTION OF GUESTS**

Hunter Stickney, a student at Hollis Brookline High School and grandson of Rep. James Belanger, Page for the day.

Carl Rice, Son of Rep. Chip Rice. Dan Brennan, Peggy Martin, Ian and Sabine Halm, guests of Rep. Suzanne Smith. Christine Harkins, Eliot Berman, and Sarah Jasper, parents of the singer and daughter of the Speaker, guests of the Speaker.

### **INTRODUCTION OF SPECIAL GUEST**

The Honorable John Kasich, Governor of the State of Ohio addressed the House.

### **INTRODUCTION OF SPECIAL GUEST**

The Honorable Marco Rubio, United States Senator for the State of Florida addressed the House.

### **SPECIAL REPORT**

Rep. Hinch addressed the House regarding a report from the Joint Task Force for the Response to the Heroin and Opioid Epidemic.

### **REGULAR CALENDAR**

**SB 447-FN**, establishing a commission to study Narcan. **OUGHT TO PASS.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill establishes a fourteen-member commission to study Narcan. The commission will study all aspects of Narcan, including: whether there should be a registry established for those in possession of Narcan; the training required regarding

dosage, conditions for administering Narcan, and other appropriate training; whether there should be mandatory reporting of use of Narcan; and whether those persons who are administered Narcan should be required to go to outpatient treatment for a certain period of time. The commission will also produce a long-term plan on the use and distribution of Narcan. Vote 14-0.

Rep. Edwards spoke against and yielded to questions.

Rep. Tholl spoke in favor and yielded to questions.

On a division vote, with 275 members having voted in the affirmative and 71 in the negative, the committee report was adopted and ordered to third reading.

**SB 576-FN-A**, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. **OUGHT TO PASS.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill addresses many of the issues raised by the Joint Task Force for the Response to the Heroin and Opioid Epidemic. Current reports indicate that last year there were 385 deaths as a result of opioid abuse in the state. The final number of deaths for the year may be even higher. The bill establishes a multi-pronged response to the problem by strengthening our laws in several areas including law enforcement, the program for monitoring prescriptions for controlled drugs, the education of medical providers, and insurance coverage for substance abuse treatment. These changes represent important steps in what will be a lengthy process to tackle this complex problem. Specifically, the bill adds penalties for the possession and use of fentanyl that are equal to the penalties for the possession and use of heroin and crack cocaine. Fentanyl is a powerful derivative of morphine that in combination with heroin, increases the potency and danger of the drug. Prescribers are further required to periodically query the PDMP for the same patient for subsequent prescriptions. Another provision in the bill permits prescribers and dispensers to assign designees to fulfill these enhanced requirements. Prescribers of controlled drugs will also be required to complete continuing education in pain management and addiction disorder. In order to provide more consistency in insurance coverage for substance abuse treatment, the bill requires all managed care health plans in the state to use the same criteria for determining medical necessity. Plans also must provide two routine outpatient visits without a requirement for prior authorization. Vote 11-3.

### MOTION TO DIVIDE

Rep. Carol McGuire moved that Sections 5, 6, 7, 9, 13 and 14 be divided from **SB 576-FN-A**, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs.

Rep. Carol McGuire spoke in favor.

Reps. Hinch and Lynne Ober spoke against.

Rep. Rosenwald requested a roll call; sufficiently seconded.

### YEAS 106 NAYS 239

#### YEAS - 106

##### BELKNAP

Aldrich, Glen  
LeBreche, Shari  
Varney, Peter

Fisher, Robert  
Spanos, Peter

Howard, Jr., Raymond  
Sylvia, Michael

Hurt, George  
Vadney, Herbert

##### CARROLL

Avellani, Lino  
Ticehurst, Susan

Buco, Thomas  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

##### CHESHIRE

McConnell, James

Phillips, Larry

##### COOS

Rideout, Leon

**GRAFTON**

Brown, Duane

Hull, Robert

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
 Christie, Rick  
 Edwards, Elizabeth  
 Gould, Linda  
 Hopper, Gary  
 Moore, Josh  
 Ohm, Bill  
 Seidel, Carl  
 Sullivan, Victoria

Ammon, Keith  
 Coffey, James  
 Estevez, Eric  
 Griffin, Barbara  
 Leishman, Peter  
 Murotake, David  
 Rice, Kimberly  
 Simmons, Tammy  
 Ulery, Jordan

Boehm, Ralph  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Halstead, Carolyn  
 McClarren, Donald  
 Murphy, Keith  
 Sanborn, Laurie  
 Souza, Kathleen  
 Zaricki, Nick

Burt, John  
 Edelblut, Frank  
 Fromuth, Bart  
 Hogan, Edith  
 McLean, Mark  
 Notter, Jeanine  
 Schleien, Eric  
 Stepanek, Stephen

**MERRIMACK**

Brewster, Michael  
 Horn, Werner  
 McGuire, Carol

French, Harold  
 Kuch, Bill  
 McGuire, Dan

Hill, Gregory  
 Marple, Richard  
 Seaworth, Brian

Hoell, J.R.  
 Martin, John

**ROCKINGHAM**

Abramson, Max  
 Bates, David  
 Green, Dennis  
 Kappler, Lawrence  
 Osborne, Jason  
 Schroadter, Adam  
 Thomas, Douglas

Allen, Mary  
 Bush, Carol  
 Harris, Jeffrey  
 Manning, John  
 Peckham, Michele  
 Sherman, Thomas  
 True, Chris

Baldasaro, Alfred  
 Dean-Bailey, Yvonne  
 Hodgdon, Bruce  
 McKinney, Betsy  
 Prudhomme-O'Brien, Katherine  
 Spillane, James  
 Tucker, Pamela

Barnes, Arthur  
 Duarte, Joe  
 Itse, Daniel  
 Oigny, Jeffrey  
 Rice, Frederick  
 Tasker, Kyle  
 Vose, Michael

**STRAFFORD**

DeLemus, Susan  
 Kaczynski, Jr., Thomas  
 Wuelper, Kurt

Gardner, Janice  
 Pitre, Joseph

Groen, Warren  
 Turcotte, Leonard

Jones, Laura  
 Whitehouse, Joshua

**SULLIVAN**

Laware, Thomas

Rollins, Skip

**NAYS - 239****BELKNAP**

Dumais, Russell  
 Luther, Robert

Fields, Dennis  
 Tilton, Franklin

Flanders, Donald

Fraser, Valerie

**CARROLL**

Butler, Edward  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Nelson, Bill

Crawford, Karel  
 Parker, Harold

McCarthy, Frank  
 Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 Parkhurst, Henry  
 Sad, Tara  
 Tilton, Benjamin

Ames, Richard  
 Eaton, Daniel  
 Pearson, William  
 Shepardson, Marjorie  
 Weber, Lucy

Berch, Paul  
 Hunt, John  
 Roberts, Kris  
 Sterling, Franklin

Bordenet, John  
 Mann, John  
 Robertson, Timothy  
 Tatro, Bruce

**COOS**

Fothergill, John  
 Richardson, Herbert

Froburg, Alethea  
 Theberge, Robert

Moynihan, Wayne  
 Tholl, John

Rappaport, Laurence  
 Thomas, Yvonne

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Rebecca	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Booras, Efstathia
Brown, Pamela	Byron, Frank	Christensen, Chris	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Flanagan, Jack	Forest, Armand
Freitas, Mary	Gagne, Larry	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Jack, Martin	Jeuzy, Jean	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
Martel, Andre	McCarthy, Peggy	McNamara, Richard	O'Brien, Michael
Ober, Lynne	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Proulx, Mark	Roberts, Carol
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Straight, Phillip	Takesian, Charlene	Twombly, Timothy	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick	Azarian, Gary	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	Cushing, Robert
DeSimone, Debra	Devine, James	Doucette, Fred	Elliott, Robert
Emerick, J. Tracy	Fesh, Robert	Francesse, Paula	Gannon, William
Gordon, Pamela	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis
Lovejoy, Patricia	Lundgren, David	Matthews, Carolyn	McBeath, Rebecca
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Pantelakos, Laura	Potucek, John	Simpson, Alexis	Sweeney, Joe
Sytek, John	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len
Graham, Robert	Gray, James	Hannon, Joseph	Horrigan, Timothy
Kaen, Naida	Leeman, Don	Mullen, John	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Verschueren, James	Wall, Janet

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew
Smith, Steven			

and the motion failed.

Rep. Sherman voted Yea and intended to vote Nay.

The question now being adoption of the committee report of Ought to Pass.

Rep. Carol McGuire spoke against.

Rep. Tholl spoke in favor and yielded to questions.

Rep. Rosenwald requested a roll call; sufficiently seconded.

**YEAS 276 NAYS 69****YEAS - 276****BELKNAP**

Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Hurt, George	Luther, Robert	Russell, David	Tilton, Franklin

**CARROLL**

Butler, Edward	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

**COOS**

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne			

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Duane	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Booras, Efstathia
Brown, Pamela	Byron, Frank	Christensen, Chris	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Edelblut, Frank	Estevez, Eric
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gagne, Larry
Goley, Jeffrey	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Jack, Martin	Judy, Jean
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Martel, Andre
McCarthy, Peggy	McNamara, Richard	Notter, Jeanine	O'Brien, Michael
Ober, Lynne	Ohm, Bill	Palmer, Barry	Parison, James

Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Smith, Timothy  
Stepanek, Stephen  
Tombly, Timothy  
Wolf, Terry

Peterson, Ken  
Rice, Kimberly  
Rowe, Robert  
Snow, Kendall  
Straight, Phillip  
Ulery, Jordan  
Woodbury, David

Pierce, David  
Roberts, Carol  
Sanborn, Laurie  
Soucy, Timothy  
Sullivan, Victoria  
Vann, Ivy

Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Souza, Kathleen  
Takesian, Charlene  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Hess, David  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Bartlett, Christy  
Doherty, David  
French, Harold  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Gile, Mary  
Horn, Werner  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Henle, Paul  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunders, George  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Bates, David  
Cali-Pitts, Jacqueline  
Christie, Andrew  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Pamela  
Hoelzel, Kathleen  
Manning, John  
McMahon, Charles  
Oigny, Jeffrey  
Prudhomme-O'Brien, Katherine  
Spillane, James  
True, Chris  
Welch, David

Abramson, Max  
Berrien, Skip  
Cardon, G. Thomas  
Cook, Allen  
Devine, James  
Fesh, Robert  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Rice, Frederick  
Sweeney, Joe  
Tucker, Pamela  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Chase, Francis  
Cushing, Robert  
Doucette, Fred  
Francese, Paula  
Guthrie, Joseph  
Katsakiores, Phyllis  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Sherman, Thomas  
Sytek, John  
Ward, Joanne  
Woitkun, Steven

Azarian, Gary  
Cahill, Michael  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Elliott, Robert  
Gannon, William  
Hagan, Joseph  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Simpson, Alexis  
Thomas, Douglas  
Webb, James

### STRAFFORD

Baber, William  
Burton, Wayne  
Gardner, Janice  
Horrigan, Timothy  
Pitre, Joseph  
Southworth, Thomas  
Verschueren, James

Berube, Roger  
Cheney, Catherine  
Graham, Robert  
Kaen, Naida  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Bickford, David  
Cilley, Jacalyn  
Gray, James  
Leeman, Don  
Schmidt, Peter  
Stevens, Audrey  
Wuelper, Kurt

Bixby, Peter  
DiSesa, Len  
Hannon, Joseph  
Mullen, John  
Smith, Marjorie  
Treleaven, Susan

### SULLIVAN

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

### NAYS - 69

### BELKNAP

Aldrich, Glen  
Spanos, Peter

Fisher, Robert  
Sylvia, Michael

Howard, Jr., Raymond  
Vadney, Herbert

LeBreche, Shari  
Varney, Peter

### CARROLL

Avellani, Lino  
Wright, Ted

Buco, Thomas

Comeau, Ed

Ticehurst, Susan

**CHESHIRE**

McConnell, James

**GRAFTON**

Hull, Robert

Ingbreton, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
 Christie, Rick  
 Ferreira, Elizabeth  
 McClarren, Donald  
 Murphy, Keith  
 Zaricki, Nick

Ammon, Keith  
 Coffey, James  
 Fromuth, Bart  
 McLean, Mark  
 Schleien, Eric

Boehm, Ralph  
 Eastman, Eric  
 Gould, Linda  
 Moore, Josh  
 Seidel, Carl

Burt, John  
 Edwards, Elizabeth  
 Halstead, Carolyn  
 Murotake, David  
 Simmons, Tammy

**MERRIMACK**

Brewster, Michael  
 Marple, Richard  
 Seaworth, Brian

Hill, Gregory  
 Martin, John

Hoell, J.R.  
 McGuire, Carol

Kuch, Bill  
 McGuire, Dan

**ROCKINGHAM**

Baldasaro, Alfred  
 Gordon, Richard  
 Itse, Daniel  
 Schroadter, Adam

Barnes, Arthur  
 Green, Dennis  
 Kappler, Lawrence  
 Tasker, Kyle

Bush, Carol  
 Harris, Jeffrey  
 Lundgren, David  
 Vose, Michael

Duarte, Joe  
 Hodgdon, Bruce  
 Osborne, Jason

**STRAFFORD**

DeLemus, Susan  
 Turcotte, Leonard

Groen, Warren  
 Whitehouse, Joshua

Jones, Laura

Kaczynski, Jr., Thomas

**SULLIVAN**

Laware, Thomas

and the committee report was adopted and ordered to third reading.

**SB 369-FN**, requiring public schools to include drug and alcohol education as part of their health education curriculum. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for the Majority of Education. This bill, as amended, recognizes the need for alcohol and drug education for the youth of New Hampshire. This bill advises school boards to develop policies authorizing school personnel to provide pupils, parents and legal guardians information relative to existing drug and alcohol counseling and treatment for pupils without a legislative mandate to add additional programs, or services. This bill only requires school districts provide information regarding available programs and services. This bill does not require any specific alcohol and drug prevention program. Parents, school district staff, school board members and other interested local individuals are empowered to collaboratively develop the most age and community appropriate alcohol and drug prevention program for pupils in the school district. Vote 12-3.

Rep. James Verschuere for the Minority of Education. This bill required age-appropriate drug education to pupils from kindergarten through grade 12. That is the sole change to the current law. The amendment changed "shall" to "should" in Section I. Those of us who voted against the amendment did so on multiple grounds. 1) Age-appropriate is insufficient language as classrooms, especially elementary school ones, include children at a range of developmental levels, not age-specific. 2) The bill provides no provision for teacher training. 3) The critical need for parental notification around sensitive curriculum is not addressed. 4) Statutes that "encourage" action weakens the intent of the law.

**Majority Amendment (0071h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Boards; Drug and Alcohol Education. Amend RSA 189 by inserting after section 11-c the following new section:

189:11-d Drug and Alcohol Education.



I. Each public school in the state, as part of their health education curriculum, should provide at each grade level age appropriate drug and alcohol education to pupils from kindergarten through grade 12. The school board may authorize the use of an evidence-based prevention program.

II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill requires public schools to provide, as part of the school's health education curriculum, age appropriate drug and alcohol education to pupils in kindergarten through grade 12.

Rep. Ladd spoke against.

Majority committee amendment failed.

Rep. Ladd offered floor amendment (0082h).

#### Floor Amendment (0082h)

Amend the title of the bill by replacing it with the following:

AN ACT encouraging public schools to include drug and alcohol education as part of their health education curriculum.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Boards; Drug and Alcohol Education. Amend RSA 189 by inserting after section 11-c the following new section:

189:11-d Drug and Alcohol Education.

I. Each public school in the state, as part of their health education curriculum, should provide at each grade level age appropriate drug and alcohol education to pupils from kindergarten through grade 12. The school board may authorize the use of an evidence-based prevention program.

II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill encourages public schools to provide, as part of the school's health education curriculum, age appropriate drug and alcohol education to pupils in kindergarten through grade 12.

Rep. Verschueren spoke against.

Rep. Gorman spoke against and yielded to questions.

Rep. Ladd spoke in favor and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

**YEAS 196 NAYS 150**

#### YEAS - 196

##### BELKNAP

Aldrich, Glen  
Flanders, Donald  
LeBreche, Shari  
Sylvia, Michael

Dumais, Russell  
Fraser, Valerie  
Luther, Robert  
Tilton, Franklin

Fields, Dennis  
Howard, Jr., Raymond  
Russell, David  
Vadney, Herbert

Fisher, Robert  
Hurt, George  
Spanos, Peter  
Varney, Peter

##### CARROLL

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
Wright, Ted

##### CHESHIRE

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hull, Robert

Brown, Duane  
Johnson, Eric

Darrow, Stephen  
Ladd, Rick

Gionet, Edmond  
Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Christensen, Chris  
Donovan, Daniel  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Infantine, William  
McCarthy, Peggy  
Murotake, David  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Straight, Phillip  
Wolf, Terry

Ammon, Keith  
Biggie, Barbara  
Christie, Rick  
Eastman, Eric  
Flanagan, Jack  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
McClarren, Donald  
Murphy, Keith  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Shaw, Barbara  
Sullivan, Victoria  
Zaricki, Nick

Balcom, John  
Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Fromuth, Bart  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, Timothy

Barry, Richard  
Byron, Frank  
Danielson, David  
Estevez, Eric  
Gagne, Larry  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
Moore, Josh  
Ober, Lynne  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Souza, Kathleen  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Kuch, Bill  
Seaworth, Brian

French, Harold  
Horn, Werner  
Martin, John  
Walsh, Thomas

Hess, David  
Kidder, David  
McGuire, Carol

Hill, Gregory  
Kotowski, Frank  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gannon, William  
Guthrie, Joseph  
Hoelzel, Kathleen  
Lundgren, David  
McMahon, Charles  
Osborne, Jason  
Sweeney, Joe  
True, Chris  
Webb, James

Abramson, Max  
Barnes, Arthur  
Chase, Francis  
DeSimone, Debra  
Elliott, Robert  
Gordon, Richard  
Hagan, Joseph  
Introne, Robert  
Manning, John  
Milz, David  
Potucek, John  
Sytek, John  
Tucker, Pamela  
Welch, David

Allen, Mary  
Bates, David  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Green, Dennis  
Harris, Jeffrey  
Itse, Daniel  
Matthews, Carolyn  
O'Connor, John  
Schroadter, Adam  
Tasker, Kyle  
Vose, Michael  
Weyler, Kenneth

Azarian, Gary  
Bush, Carol  
Cook, Allen  
Doucette, Fred  
Fesh, Robert  
Griffin, Mary  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McKinney, Betsy  
Oigny, Jeffrey  
Spillane, James  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Stevens, Audrey

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Whitehouse, Joshua

Graham, Robert  
Jones, Laura  
Pitre, Joseph  
Wuelper, Kurt

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 150****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Sad, Tara  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Phillips, Larry  
Shepardson, Marjorie

Berch, Paul  
Mann, John  
Roberts, Kris  
Tatro, Bruce

Bordenet, John  
Parkhurst, Henry  
Robertson, Timothy  
Tilton, Benjamin

**COOS**

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, Charles

Brown, Rebecca  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Cornell, Patricia  
Forest, Armand  
Guerette, C. Lee  
Herbert, Christopher  
Long, Patrick  
O'Brien, Michael  
Shattuck, Gilman  
Takesian, Charlene  
Woodbury, David

Baroody, Benjamin  
Burt, John  
Cote, David  
Freitas, Mary  
Hansberry, Daniel  
Jack, Martin  
Mangipudi, Latha  
Porter, Marjorie  
Smith, Timothy  
Vann, Ivy

Beaulieu, Jane  
Christiansen, Lars  
DiSilvestro, Linda  
Goley, Jeffrey  
Harvey, Suzanne  
Judy, Jean  
Manley, Jonathan  
Roberts, Carol  
Snow, Kendall  
Walsh, Robert

Booras, Efstathia  
Cohen, Alan  
Edwards, Elizabeth  
Gorman, Mary  
Heath, Mary  
Leishman, Peter  
McNamara, Richard  
Rosenwald, Cindy  
Soucy, Timothy  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Kenison, Linda  
Moffett, Howard  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Luneau, David  
Myler, Mel  
Rice, Chip  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
MacKay, James  
Parent, Jason  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Karrick, David  
Marple, Richard  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Lovejoy, Patricia  
Peckham, Michele  
Simpson, Alexis

Borden, David  
Francesca, Paula  
McBeath, Rebecca  
Prudhomme-O'Brien, Katherine

Cahill, Michael  
Gordon, Pamela  
Nigrello, Robert  
Rice, Frederick

Cali-Pitts, Jacqueline  
Kappler, Lawrence  
Pantelakos, Laura  
Sherman, Thomas

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Spang, Judith

Berube, Roger  
DiSesa, Len  
Schmidt, Peter  
Treleaven, Susan

Bixby, Peter  
Gardner, Janice  
Smith, Marjorie  
Verschueren, James

Burton, Wayne  
Horriggan, Timothy  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne

and floor amendment (0082h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Brewster spoke against.  
Rep. Grenier spoke in favor.  
Majority committee report adopted and ordered to third reading.

### RESOLUTION

Reps. Hinch and Shurtleff offered the following: **RESOLVED**, that Senate Bills numbered 369, 447 and 576 be read by titles only and that they be read a third time by this resolution, and that their titles be the same as adopted, and that they be passed at the present time.

### Third Reading and Final Passage

**SB 447-FN**, establishing a commission to study Narcan.

**SB 576-FN-A**, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs.

**SB 369-FN**, encouraging public schools to include drug and alcohol education as part of their health education curriculum.

The House recessed at 12:05 p.m.

### RECESS

The House reconvened at 1:15 p.m.

### (Speaker Jasper in the Chair)

### MOTION TO SPECIAL ORDER

Rep. Abrami moved that **HB 630-FN-A**, establishing the New Hampshire video lottery, and **CACR 2**, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund, be made Special Orders immediately following the Special Guest presentation.  
Motion adopted.

### REGULAR CALENDAR CONT'D

**HB 280**, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas Walsh for Transportation. This bill as amended replaces the proposed study committee and creates specialty plates for veterans and non-profit organizations using a decal plate format. The decal plate is acquired from the Department of Motor Vehicles. The decals for military branch, etc. can then be purchased from the State Office of Veterans Services for veterans decal plates, or from the non-profit organizations that are approved (by the legislature) for standard decal plates. The last part of the bill creates a motorcycle plate for disabled veterans. The requests for these types of plates have had to be denied for years due to cost. This program solves that problem and has the support of the Department of Safety. Vote 15-0.

### Amendment (2556h)

Amend the title of the bill by replacing it with the following:

**AN ACT** authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapters; Multi-Use Decal Plates. Amend RSA by inserting after chapter 261-A the following new chapters:

### CHAPTER 261-B

### MULTI-USE DECAL PLATES

261-B:1 **MULTI-Use Decal Plates Authorized.** The department of safety shall issue multi-use decal plates. The design shall provide an area 3 inches by 3 inches for the placement of a decal representing an organization authorized under RSA 261-B:3. Except as otherwise provided in this chapter, multi-use decal plates shall have the same effect and be issued in the same manner as other number plates. Multi-use number plates shall retain the "live free or die" logo.

**261-B:2 Decals.**

I. Decals shall be made of nonreflectorized material and manufactured to maintain their visibility for a minimum of 36 months.

II. Decals may only be placed on multi-use decal plates issued pursuant to this chapter.

III. Decals shall be distributed by organizations authorized under RSA 261-B:3.

IV. Decals shall include a unique sequence number.

V. The authorized organization may collect a fee for the decal.

**261-B: 3 Authorized Organizations.**

I. Organizations that have been granted and continue to hold tax exempt status under 26 U.S.C. section 501(c)(3) are eligible to participate in the multi-use decal number plate program. To issue decals under this chapter, an organization shall file an annual report with the director of motor vehicles, in a format and time established by the director, containing the following:

(a) Address of the organization's headquarters.

(b) Name, address, and telephone number of the coordinator of the organization's decal program.

(c) A sample of the decal to be issued.

(d) A statement verifying that the images used in the decals do not infringe on any other person's intellectual property or a release from the owner authorizing the use of the images.

(e) A list of persons receiving decals from the organization and the sequence number assigned to each person.

(f) Fees received by the organization and their distribution.

(g) Verification of the organization's continuing status as a tax-exempt organization under 26 U.S.C. section 501(c)(3).

(h) A statement that the organization will continue to participate in the program.

II. An organization may end its participation in the multi-use decal number plate program by written notification to the director of motor vehicles and filing a final annual report within 30 days of the notification.

III. Participation in the multi-use decal number plate program shall terminate automatically if the organization fails to file its annual report under paragraph I or files a report that does not include the statement required by subparagraph I(h).

IV. A person displaying the decal of an organization that is no longer participating in the program on a multi-use decal number plate may continue to display the decal until the next expiration of the vehicle's registration.

V. Organizations shall allow a purchaser of a decal to purchase a new decal no less frequently than every 36 months.

**261-B: 4 Issuance and Renewal; Fees.**

I. The fee for multi-use decal number plates shall be \$15 per year per set, which shall be in addition to any other registration and number plate fees. This fee shall not be prorated.

II. The commissioner of the department of safety shall deposit \$5 from each fee collected under paragraph I in the department of safety inventory fund established by RSA 228:25. The remainder shall be deposited in the highway fund.

**261-B: 5 Vehicles Eligible.** Multi-use decal number plates may be used on passenger motor vehicles and recreation vehicles.

**261-B: 6 Misuse of Decals.** Only decals issued by organizations authorized under this chapter may be displayed on multi-use decal number plates. Use of an unauthorized decal shall be a violation punishable by a fine of \$50 plus penalty assessment.

**261-B:7 Change of Decals.** The holder of a multi-use decal number plate may replace a decal with a decal from a different authorized organization.

**261-B:8 Rulemaking.** The commissioner of the department of safety shall adopt rules pursuant to RSA 541-A relative to the administration of the multi-use decal number plate program.

**CHAPTER 261-C****MULTI-USE VETERANS DECAL PLATES**

**261-C:1 Multi-Use Veterans Decal Plates Authorized.** The department of safety shall issue multi-use veterans decal plates. The design shall provide an area 3 inches by 3 inches for the placement of decals representing branches of service and medals authorized under RSA 261-C:4. Except as otherwise provided in this chapter, multi-use veterans decal plates shall have the same effect and be issued in the same manner as other number plates. Multi-use veterans decal plates shall retain the "live free or die" logo.

## 261-C:2 Decals.

I. Decals shall be made of nonreflectorized material and manufactured to maintain their visibility for a minimum of 36 months.

II. Decals shall include a unique sequence number.

III. The state office of veterans services may issue decals to eligible veterans and shall collect a fee of \$10 for the decal.

261-C:3 Eligibility. Multi-use veterans decal plates shall be issued only to those veterans defined in RSA 21:50, I(a). Additionally, an individual shall demonstrate to the satisfaction of the director of the state office of veterans services that he or she was a member of a specific branch of service or was awarded the medal represented on the requested decal.

## 261-C:4 Authorized Decals.

I. The following decals shall be issued in accordance with this chapter:

(a) Branch of service:

- (1) United States Army.
- (2) United States Navy.
- (3) United States Air Force.
- (4) United States Marine Corps.
- (5) United States Coast Guard.

(b) Medal for Valor:

- (1) Medal of Honor.
- (2) Distinguished Service Cross.
- (3) Navy Cross.
- (4) Air Force Cross.
- (5) Silver Star.
- (6) Bronze Star.

II. The state office of veterans services shall provide a report annually to the director of the division of motor vehicles. Such report shall contain the names of veterans to whom decal or decals were issued, indicating which decal was issued and its issue number.

III. Eligible veterans shall obtain new decals no less frequently than 36 months from the date of issue.

261-C:5 Vehicles Eligible. Multi-use veterans decal number plates may be used on passenger motor vehicles and recreation vehicles.

261-C:6 Misuse of Decals. Only decals authorized under this chapter may be displayed on multi-use veterans decal number plates. Use of an unauthorized decal shall be a violation punishable by a fine of \$50 plus penalty assessment.

261-C:7 Rulemaking. The commissioner of the department of safety in consultation with the director of the state office of veterans services shall adopt rules pursuant to RSA 541-A relative to the administration of the multi-use veterans decal number plate program.

2 Disabled Veterans; Motorcycle Plates. Amend RSA 261:86, II to read as follows:

II. Plates furnished pursuant to subparagraphs I(a)-(c) shall be issued without charge. Plates furnished pursuant to subparagraphs I(d) and (e) shall be issued without the \$4 per plate fees under RSA 261:75 but shall require payment of the regular registration fee. Notwithstanding RSA 265:73 or any other law, any person who is issued a plate pursuant to subparagraphs I(c)-(e) shall not be entitled to free parking privileges for disabled veterans~~[-except that]~~. A person who qualifies for special plates pursuant to **subparagraph I(a) or** subparagraph I(d) may be issued an additional plate for a motorcycle.

3 Effective Date. This act shall take effect July 1, 2016.

## AMENDED ANALYSIS

This bill authorizes multi-use decal number plates and participation by the tax-exempt organizations to issue decals.

This bill authorizes multi-use veterans decal number plates and the issuance of decals by the state office of veterans services.

This bill allows a person who is eligible for a special number plate for disabled veterans to be issued an additional special number plate for a motorcycle.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Steven Smith offered floor amendment (3029h).

**Floor Amendment (3029h)**

Amend RSA 261-B:1 as inserted by section 1 of the bill by replacing it with the following:

261-B:1 Multi-Use Decal Plates Authorized. The department of safety shall issue multi-use decal plates. The design shall provide an area 3 inches by 3 inches for the placement of a decal representing an organization authorized by statute to issue decals. Except as otherwise provided in this chapter, multi-use decal plates shall have the same effect and be issued in the same manner as other number plates. Multi-use number plates shall retain the "live free or die" logo.

Amend RSA 261-B:2, III as inserted by section 1 of the bill by replacing it with the following:

III. Decals shall be distributed by organizations authorized by statute.

Amend the introductory paragraph of RSA 261-B:3, I as inserted by section 1 of the bill by replacing it with the following:

I. Organizations that have statutory authority to issue decals shall have been granted and continue to hold tax exempt status under 26 U.S.C. section 501(c)(3) to participate in the multi-use decal number plate program. To issue decals under this chapter, an organization shall file an annual report with the director of motor vehicles, in a format and time established by the director, containing the following:

Amend RSA 261-B:6 as inserted by section 1 of the bill by replacing it with the following:

261-B:6 Misuse of Decals. Only decals issued by organizations authorized by statute may be displayed on multi-use decal number plates. Use of an unauthorized decal shall be a violation punishable by a fine of \$50 plus penalty assessment.

**AMENDED ANALYSIS**

This bill authorizes multi-use decal number plates which may bear decals issued by tax-exempt organizations authorized by statute.

This bill authorizes multi-use veterans decal number plates and the issuance of decals by the state office of veterans services.

This bill allows a person who is eligible for a special number plate for disabled veterans to be issued an additional special number plate for a motorcycle.

Rep. Steven Smith spoke in favor.

Floor amendment (3029h) adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 586-FN-L, relative to registration of automobile utility trailers. OUGHT TO PASS WITH AMENDMENT.**

Rep. Werner Horn for Transportation. This legislation establishes a business model under which automobile utility trailer registrations are accomplished via on-line access for out of state and New Hampshire residents. The amendment clarifies operating standards for nongovernmental registering trailer agents and requires the remittance of fees to the applicable town or city clerk for processing resident registrations. Vote 8-3.

**Amendment (2485h)**

Amend the bill by replacing sections 2-3 with the following:

2 New Subdivision; Registrations by Nongovernmental Registering Trailer Agents. Amend RSA 261 by inserting after section 74-s the following new subdivision:

Registrations by Nongovernmental Registering Trailer Agents

261:74-t Registrations by Nongovernmental Registering Trailer Agents.

I. Automobile utility trailer registrations may be issued, renewed, or transferred through nongovernmental registering trailer agents appointed in accordance with this subdivision. Trailer agents shall be residents of and have a verified business address in this state. The director is authorized to limit the number of nongovernmental registering trailer agents appointed under this subdivision based on resource limitations, provided that at least 3 trailer agents are appointed and provided that any limitation established shall not be the basis for revoking any appointment previously made.

II.(a) Each applicant for appointment as a trailer agent shall furnish the following to the department:

- (1) Whether the application is an original, renewal, or change of location;
- (2) Corporate or business name;
- (3) Trade name, if applicable;

- (4) Legal address;
  - (5) Mailing address;
  - (6) Telephone number;
  - (7) Business hours;
  - (8) Name, address, and date of birth of at least one owner, partner, or officer, and title, if applicable;
  - (9) Name of the person who will be responsible for filing monthly reports;
  - (10) An agreement to notify the department of any change of ownership, address, or corporate or trade name; and
  - (11) Signature and title of the person identified in subparagraph (8) and date signed.
- (b)(1) Upon submission of an application that is incomplete or might indicate lack of fitness or qualification for appointment as a trailer agent, the director or his or her designee shall require an applicant to appear for an interview.
- (2) The director or his or her designee shall inform the applicant in writing of the interview. The written notice shall include the date, time, and location of the interview.
- (3) At the interview, the director or his or her designee shall:
- (A) Explain any discrepancy or concerns to the applicant.
  - (B) Answer any questions that the applicant may have about the process.
  - (C) Allow the applicant to make corrections to the application or address any concerns expressed.
- (4) If an applicant refuses or neglects to appear for a scheduled interview, the director shall deny his or her application.
- (5) If an applicant fails to explain any discrepancy or concerns at the interview, the director shall deny his or her application.
- (c) In order to be appointed as a trailer agent by the director, each applicant shall:
- (1) Complete the application.
  - (2) Complete the training requirements.
  - (3) Complete an interview if applicable.
  - (4) Obtain a surety bond.
  - (5) Agree to allow the director or his or her designee to enter the agent's premises during business hours for the purposes of auditing or verifying compliance with the terms and conditions of this section.
  - (6) Agree to keep current with forms and software as determined by the department.
- (d) Trailer agents:
- (1) Shall furnish registration information concerning vehicle information as the director may require.
  - (2) Collect fees.
  - (3) Issue registrations.
  - (4) Submit monthly reports to the department and to each city and town clerk for which municipal permit fees are collected and remitted by the manner and in the form as the director may prescribe.
- (e)(1) Each trailer agent shall maintain a record of all trailer registration certificates issued by him or her, including:
- (A) Date of registration.
  - (B) Full name of the registrant.
  - (C) Identifying number.
  - (D) Address and phone number of record.
- (2) The trailer agent shall maintain all records for a period of 15 years.
- (f)(1) Prior to being appointed as a trailer agent, each applicant shall complete a training program conducted at the division of motor vehicles, or such other location as the department shall determine.
- (2) The training program shall include the following instruction:
- (A) Completing a trailer registration using either online equipment furnished by the department or offline equipment including forms and tables furnished by the department.
  - (B) Filing monthly reports.
  - (C) Collecting trailer registration and municipal permit fees.



- (D) Maintaining records.
- (E) Retaining the agent fee.
- (F) Posting office hours.

(g)(1) If a trailer agent is deficient in any area, the department shall request the trailer agent to undergo retraining.

(2) Depending upon the areas of deficiency, retraining shall consist of one or more of the following:

- (A) Repeat the training program.
- (B) Repeat any portion of the training program.
- (C) Undergo further training, the substance of which shall be determined by the department.

(h) Before any appointment shall become effective, each trailer agent shall file a surety bond with the department, pursuant to RSA 41:6.

(i)(1) Each trailer agent shall mail a monthly report to the tax collector of all municipalities where a New Hampshire resident lives that registered a trailer with that agent. The trailer agent shall send a copy of the monthly report to the department.

(2) Each trailer agent shall mail a monthly report of nonresident registrations to the department containing:

- (A) The physical address and telephone number where the trailer agent is located;
- (B) Period the report begins and ends;
- (C) Number of trailers registered; and
- (D) Amount of registration fee collected.

(3) The monthly reports shall be submitted along with all fees due to the department or the municipality in the form of a check or money order.

(j) Whenever a trailer agent's office is closed or unattended, all decals, stamps, and other registration materials shall be placed in a locked file cabinet or other secure container.

II. A nonresident may register an automobile utility trailer in this state through a nongovernmental registering trailer agent, even if the trailer is not garaged exclusively in this state in accordance with RSA 261:46. Registrations of nonresidents for automobile utility trailers that are not garaged exclusively in this state shall bear the address of the owner's residence and the address of the nongovernmental registering trailer agent.

#### 261:74-u Fees; Multiyear Registrations.

I. A nongovernmental registering trailer agent may collect and retain a fee for each registration processed as compensation for processing the registration.

II. The nongovernmental registering trailer agent shall collect and remit to the department the registration fee established in RSA 261:141, III(j). Automobile utility trailers owned by nonresidents of New Hampshire registered under this subdivision shall not require a municipal permit for registration and shall not be subject to any municipal fees. When a trailer agent processes a registration for a New Hampshire resident, the agent shall collect and forward to the applicable town or city clerk the registration permit fee under RSA 261:153, I due for that year.

III. Persons may register automobile utility trailers for up to 10 years through a trailer agent. Multiyear registrations for automobile utility trailers shall be subject to the following discounted fees:

- (a) One year: no discount.
- (b) Two years: 2 times the annual fee.
- (c) Three years: 2.75 times the annual fee.
- (d) Four years: 3.25 times the annual fee.
- (e) Five years: 4.25 times the annual fee.
- (f) Ten years: 8 times the annual fee.

#### 261:74-v Revocation of Agency Status.

I. If the director determines that a trailer agent has not continued to fulfill the requirements of RSA 261:74-t or has violated any of the rules adopted pursuant to RSA 261:74-w, the director shall commence the procedure established in paragraph II.

II. Any trailer agent whose appointment is sought to be revoked shall be afforded the opportunity of a hearing before the director or designee prior to such revocation. Following the hearing, the director may revoke the appointment as a trailer agent upon satisfactory evidence that the provisions of this subdivision have been violated and that the revocation is in the best interest of the state. A written statement outlining the evidence and violations shall accompany the revocation.

III. Upon the revocation of such agency, the person shall surrender to the department or its authorized agent all materials issued by the state under the provisions of this subdivision and all records pertaining to all matters authorized by this subdivision.

IV. Whenever an authorized auditor of the department, with the approval of the commissioner, determines that the public interest requires immediate action, the director may issue a temporary order suspending the authority of a nongovernmental registering trailer agent to issue, renew, or transfer registrations, pending a hearing.

261:74-w Rulemaking. The director shall adopt rules pursuant to RSA 541-A relative to application forms for appointment as a nongovernmental registering trailer agent.

3 Surety Bonds. Amend the introductory paragraph of RSA 41:6, I to read as follows:

I. Town treasurers, trustees as provided in RSA 31:22 and [23] ***RSA 31:23***, trustees as provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorized to collect the boat fee, ***nongovernmental registering trailer agents appointed under RSA 261:74-t***, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

4 Effective Date. This act shall take effect July 1, 2016.

#### AMENDED ANALYSIS

This bill:

I. Authorizes registration of automobile utility trailers through nongovernmental agents of the department of safety.

II. Authorizes multiyear registrations through those agents.

III. Provides discounts on fees for multiyear registrations.

IV. Allows registrations through the agents by nonresidents for automobile utility trailers not garaged exclusively in this state.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Ways and Means.

**HB 359**, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Don Leeman for the Majority of Ways and Means. The purpose of this bill is to extend the property tax exemption program in Coos County to municipalities in Carroll County for 5 years. This allows them to offer property tax exemptions to foster commercial and industrial construction. The amendment extends this option to all cities and towns in New Hampshire. Vote 17-2.

Rep. Susan Almy for the Minority of Ways and Means. The effect of this bill as amended is to remove the existing incentive to draw businesses to Coos County, the poorest county in the state, and to remove the incentive the bill sponsors sought to allow Carroll County to join Coos' program. The incentive has proved inadequate to draw substantial business to counties that are under endowed with adequate transportation and broad band.

#### Majority Amendment (2408h)

Amend the title of the bill by replacing it with the following:

AN ACT allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction.

Amend the bill by replacing all after the enacting clause with the following:

1 Property Taxation; Commercial and Industrial Construction Exemption; Change to Statewide. Amend RSA 72:75, I(b) to read as follows:

(b) "Eligible municipality" shall mean any city or town [~~in Coos county~~].

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill extends the property tax exemption currently available only in Coos county to all municipalities in the state to foster commercial and industrial construction.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**HB 552-FN**, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Karrick for the Majority of Ways and Means. While consideration of accepting bitcoin as payment for taxes and fees to the State of New Hampshire is an interesting idea it is felt that if there is a serious problem with bitcoin or other proto currencies it would reflect poorly on the state even if the state was not at risk. Vote 13-4.

Rep. Susan Almy for the Minority of Ways and Means. This bill was rewritten to ensure that all the risk associated with bitcoin lies where it belongs, with the person who owes taxes or fees to the state and the bitcoin processor whom he contracts with to pay dollars to the state. The Treasurer provided strictures which have been met. The bitcoin concept is highly attractive to many of the young entrepreneurs we need to retain or attract to New Hampshire. The minority does not commit to ever using bitcoin itself, but believes it should be an option as long as the state receives payments only in US dollars and bears none of the risk of this volatile asset.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Schleien spoke against and yielded to questions.

Reps. Timothy Smith, Ohm and Karrick spoke in favor.

Rep. Jones requested a roll call; sufficiently seconded.

## YEAS 264 NAYS 74

### YEAS - 264

#### BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

#### CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

#### COOS

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	

#### GRAFTON

Abel, Richard	Bailey, Brad	Bennett, Travis	Brown, Duane
Brown, Rebecca	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

#### HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Booras, Efstathia	Brown, Pamela	Byron, Frank	Christiansen, Lars
Christie, Rick	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gagne, Larry	Goley, Jeffrey
Gorman, Mary	Gould, Linda	Griffin, Barbara	Haefner, Robert

Hansberry, Daniel  
Hinch, Richard  
Kurk, Neal  
Mangipudi, Latha  
O'Brien, Michael  
Pellegrino, Anthony  
Roberts, Carol  
Shattuck, Gilman  
Soucy, Timothy  
Twombly, Timothy  
Williams, Kermit

Hansen, Peter  
Hogan, Edith  
LeBrun, Donald  
Manley, Jonathan  
Ober, Lynne  
Peterson, Ken  
Rosenwald, Cindy  
Shaw, Barbara  
Souza, Kathleen  
Ulery, Jordan  
Wolf, Terry

Heath, Mary  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Ohm, Bill  
Pierce, David  
Rouillard, Claire  
Smith, Timothy  
Straight, Phillip  
Vann, Ivy  
Woodbury, David

Herbert, Christopher  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Palmer, Barry  
Rice, Kimberly  
Seidel, Carl  
Snow, Kendall  
Takesian, Charlene  
Walsh, Robert

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Henle, Paul  
Karrick, David  
Kuch, Bill  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Bartlett, Christy  
Deloge, Helen  
French, Barbara  
Hess, David  
Kenison, Linda  
Luneau, David  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

Bradley, Paula  
Doherty, David  
French, Harold  
Hirsch, Geoffrey  
Kidder, David  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

Brewster, Michael  
Ebel, Karen  
Gile, Mary  
Horn, Werner  
Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Shurtleff, Stephen

### ROCKINGHAM

Abrami, Patrick  
Barnes, Arthur  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Fesh, Robert  
Gordon, Richard  
Hagan, Joseph  
Introne, Robert  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Ward, Joanne  
Woitkun, Steven

Allen, Mary  
Bates, David  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Duarte, Joe  
Francese, Paula  
Green, Dennis  
Harris, Jeffrey  
Itse, Daniel  
Manning, John  
McMahon, Charles  
Pantelakos, Laura  
Rice, Frederick  
Thomas, Douglas  
Webb, James

Azarian, Gary  
Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Elliott, Robert  
Gannon, William  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
Milz, David  
Peckham, Michele  
Sherman, Thomas  
True, Chris  
Welch, David

Baldasaro, Alfred  
Borden, David  
Christie, Andrew  
Devine, James  
Emerick, J. Tracy  
Gordon, Pamela  
Guthrie, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McBeath, Rebecca  
Nigrello, Robert  
Potucek, John  
Sweeney, Joe  
Tucker, Pamela  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Graham, Robert  
Leeman, Don  
Schmidt, Peter  
Treleaven, Susan  
Wuelper, Kurt

Berube, Roger  
Cheney, Catherine  
Gray, James  
Mullen, John  
Southworth, Thomas  
Turcotte, Leonard

Bickford, David  
DeLemus, Susan  
Horrigan, Timothy  
Pitre, Joseph  
Spang, Judith  
Verschueren, James

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Rollo, Deanna  
Stevens, Audrey  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Rollins, Skip

### NAYS - 74

### BELKNAP

Aldrich, Glen

Fisher, Robert

Fraser, Valerie

Sylvia, Michael

**CARROLL**

Avellani, Lino	Comeau, Ed	Wright, Ted
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**CHESHIRE**

McConnell, James	Roberts, Kris	Sterling, Franklin	Tilton, Benjamin
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**COOS**

Thomas, Yvonne
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**GRAFTON**

Almy, Susan	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Piper, Wendy	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Burt, John	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Guerette, C. Lee	Halstead, Carolyn
Harvey, Suzanne	Hopper, Gary	Infantine, William	Katsiantonis, Thomas
Lachance, Joseph	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ober, Russell	Parison, James
Proulx, Mark	Sanborn, Laurie	Schleien, Eric	Simmons, Tammy
Smith, Gregory	Sullivan, Victoria	Zaricki, Nick	

**MERRIMACK**

Hill, Gregory	Hoell, J.R.	Martin, John	McGuire, Carol
McGuire, Dan	Rice, Chip	Seaworth, Brian	

**ROCKINGHAM**

Abramson, Max	Chase, Francis	Chirichiello, Brian	Cook, Allen
Lundgren, David	Oigny, Jeffrey	Osborne, Jason	Schroadter, Adam
Simpson, Alexis	Spillane, James	Tasker, Kyle	Vose, Michael

**STRAFFORD**

Cilley, Jacalyn	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas			

**SULLIVAN**

Converse, Larry  
and the majority committee report was adopted.

**INTRODUCTION OF SPECIAL GUEST**

The Honorable Chris Christie, Governor of the State of New Jersey, addressed the House.

**REGULAR CALENDAR CONT'D****SPECIAL ORDER**

**HB 630-FN-A**, establishing the New Hampshire video lottery. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Henle for the Majority of Ways and Means. This legislation would allow establishments with a liquor license in the state to install and operate up to six video lottery machines (slot machines). This would be an unprecedented expansion of gambling in New Hampshire. It would have all of the negatives associated with casino gambling and very few of the positives. One of the arguments for allowing one or two casinos in the state was that it would promote economic activity in the vicinity of the casino. None of that would happen if this bill is enacted. Nobody is going to build a hotel next to a restaurant just because it has six slot machines. The bill does not create any new jobs; it has the potential to harm tourism; and it offers an inconsistent revenue stream. The issue of problem gambling is exacerbated by the wide distribution of the machines. Restricting the machines to one or two facilities enables both the casino operators and the state to monitor their use and identify problem gamblers early. Interventions can then

be made to ward off the dire effects that problem gambling can have on individuals, families and local economies. Under this bill that would not be possible. It would be all too easy for a problem gambler to go undetected until it was too late and irreparable harm had been done. In 2013 and 2014 the House rejected bills that would have allowed video lottery machines in six locations. It has shown no interest in spreading this kind of gambling willy-nilly around the state. Vote 12-7.

Rep. Joseph Lachance for the Minority of Ways and Means. This legislation expands the NH Lottery to include video lottery machines. On-premise liquor licensees (restaurants, bars, clubs, etc.) would be able to license up to six machines per location and machines must be kept in a room not visible or accessible to those under 21. The machines are centrally monitored at all times by the Lottery Commission's computers. There is a per-machine license fee which pays for the Lottery's expenses and, with a proposed amendment, a treatment fund for problem gambling. There is also a 67% tax on net after-prize income, which is directed to reducing the State Education Property Tax. The expected \$217 million of annual revenue would cut the \$363 million State Education Property Tax more than in half, for a 5% reduction in the typical property tax bill. This is gambling that works with existing small businesses, not against them. Like the original NH Lottery, it is a home-grown system and is not being promoted by lobbyists. Video lottery is very popular in Oregon and South Dakota, the two states with similar systems. In both states video lottery coexists with casinos, so one does not preclude the other. The amendment also provides for the same local opt-in and opt-out as we have for the rest of the NH Lottery. The committee also discussed a possible amendment. This amendment would allow for video lottery terminals to be in veterans and private social clubs only. No action was taken on that amendment at the executive session.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Dan McGuire spoke against and yielded to questions.

Reps. Carol McGuire, Cheney and Kappler spoke against.

Reps. Azarian and Hess spoke in favor.

Rep. Lovejoy spoke in favor and yielded to questions.

Rep. Lachance requested a roll call; sufficiently seconded.

## YEAS 200 NAYS 129

### YEAS - 200

#### BELKNAP

Flanders, Donald  
Spanos, Peter

Fraser, Valerie  
Tilton, Franklin

Hurt, George

LeBreche, Shari

#### CARROLL

Avellani, Lino  
McCarthy, Frank  
Ticehurst, Susan

Buco, Thomas  
McConkey, Mark

Chandler, Gene  
Nelson, Bill

Crawford, Karel  
Parker, Harold

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Sad, Tara

Ames, Richard  
Eaton, Daniel  
Phillips, Larry  
Shepardson, Marjorie

Berch, Paul  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Bordenet, John  
Parkhurst, Henry  
Robertson, Timothy  
Weber, Lucy

#### COOS

Fothergill, John

Moynihan, Wayne

Rappaport, Laurence

Tholl, John

#### GRAFTON

Abel, Richard  
Brown, Rebecca  
Hennessey, Martha  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
White, Andrew

Bennett, Travis  
Darrow, Stephen  
Johnson, Eric  
Smith, Suzanne

Brown, Duane  
Ford, Susan  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert	Booras, Efstathia	Christie, Rick	Cohen, Alan
Cornell, Patricia	Cote, David	Edwards, Elizabeth	Ferreira, Elizabeth
Flanagan, Jack	Gagne, Larry	Gonzalez, Carlos	Gorman, Mary
Gould, Linda	Griffin, Barbara	Haefner, Robert	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Hogan, Edith	Hopper, Gary
Jack, Martin	Jeudy, Jean	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Brien, Michael	Palmer, Barry	Pierce, David	Proulx, Mark
Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire
Shattuck, Gilman	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Souza, Kathleen	Takesian, Charlene	Twombly, Timothy	Ulery, Jordan
Vann, Ivy	Williams, Kermit	Wolf, Terry	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hess, David	Hill, Gregory	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Luneau, David
MackKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Chip	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah	

**ROCKINGHAM**

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Bates, David
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Christie, Andrew	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Fesh, Robert
Francese, Paula	Gordon, Pamela	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hoelzel, Kathleen
Introne, Robert	Kaplier, Lawrence	Lovejoy, Patricia	Matthews, Carolyn
McBeath, Rebecca	McMahon, Charles	Nigrello, Robert	Oigny, Jeffrey
Osborne, Jason	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Sytek, John	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Woitkun, Steven		

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Gray, James	Groen, Warren	Horrigun, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Southworth, Thomas
Spang, Judith	Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard
Verschueren, James	Wall, Janet	Wuelper, Kurt	

**SULLIVAN**

Gagnon, Raymond	Gottling, Suzanne	Grenier, James	Irwin, Virginia
Laware, Thomas	Oxenham, Lee	Schmidt, Andrew	

**NAYS - 129****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Howard, Jr., Raymond	Sylvia, Michael	Vadney, Herbert	Varney, Peter

**CARROLL**

Butler, Edward	Comeau, Ed	Cordelli, Glenn	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

**CHESHIRE**

Hunt, John	McConnell, James	Tatro, Bruce	Tilton, Benjamin
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**COOS**

Richardson, Herbert	Rideout, Leon	Theberge, Robert	Thomas, Yvonne
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**GRAFTON**

Bailey, Brad	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Piper, Wendy	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Baroody, Benjamin
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Brown, Pamela	Burt, John	Byron, Frank	Coffey, James
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Forest, Armand	Freitas, Mary
Fromuth, Bart	Goley, Jeffrey	Halstead, Carolyn	Heath, Mary
Herbert, Christopher	Katsiantonis, Thomas	Kurk, Neal	Lachance, Joseph
McCarthy, Peggy	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell	Ohm, Bill
Parison, James	Pellegrino, Anthony	Peterson, Ken	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Shaw, Barbara	Simmons, Tammy
Straight, Phillip	Sullivan, Victoria	Walsh, Robert	Zaricki, Nick

**MERRIMACK**

French, Harold	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Patten, Dick	Rogers, Katherine	Seaworth, Brian	Turcotte, Alan

**ROCKINGHAM**

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Chase, Francis
Chirichiello, Brian	Cook, Allen	Cushing, Robert	Dean-Bailey, Yvonne
Emerick, J. Tracy	Gannon, William	Hodgdon, Bruce	Itse, Daniel
Katsakiores, Phyllis	Manning, John	McKinney, Betsy	Milz, David
O'Connor, John	Peckham, Michele	Potucek, John	Rice, Frederick
Schroader, Adam	Spillane, James	Sweeney, Joe	Thomas, Douglas
True, Chris	Tucker, Pamela	Weyler, Kenneth	

**STRAFFORD**

Cheney, Catherine	Cilley, Jacalyn	DeLemus, Susan	Graham, Robert
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don
Mullen, John	Pitre, Joseph		

**SULLIVAN**

Cloutier, John	Converse, Larry	Rollins, Skip	Smith, Steven
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and the majority committee report was adopted.

**SPECIAL ORDER**

**CACR 2**, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund. **INEXPEDIENT TO LEGISLATE.**

Rep. David Hess for Ways and Means. The intent of this proposed constitutional amendment is to require that revenues from so called "dedicated funds" be spent only on those designated special programs unless the General Court, by two-thirds majorities in both chambers, votes to divert those revenues and spend them on other programs. While this goal is laudable, the committee concluded that adding this provision to our constitution would have a number of anomalous and adverse, unintended consequences. First it would require super majority votes to redirect dedicated funds which had been created in the first instance by simple majority votes. Second it would significantly



limit the flexibility of future legislatures to address fiscal crises by temporarily reordering financial priorities. Experience in many other states with constitutionally-mandated super majorities to raise revenues and/or make appropriations has been anything but positive. Finally, were this to be in our constitution, it would require a two-thirds vote to divert funds from a dedicated fund, but allow the legislature to get access to the same funds by a simple majority vote eliminating the fund. Vote 19-0. Rep. Hoell spoke against.

Rep. Hess spoke in favor.

Rep. Leeman requested a roll call; sufficiently seconded.

## YEAS 234 NAYS 90

### YEAS - 234

#### BELKNAP

Fields, Dennis  
Hurt, George

Fisher, Robert  
LeBreche, Shari

Flanders, Donald  
Spanos, Peter

Fraser, Valerie  
Tilton, Franklin

#### CARROLL

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Nelson, Bill  
Umberger, Karen

Cordelli, Glenn  
Parker, Harold

#### CHESHIRE

Abbott, Michael  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

Ames, Richard  
Hunt, John  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Berch, Paul  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Bordenet, John  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

#### COOS

Fothergill, John  
Thomas, Yvonne

Moynihan, Wayne

Rappaport, Laurence

Tholl, John

#### GRAFTON

Abel, Richard  
Brown, Rebecca  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Cooney, Mary  
Ingbreton, Paul  
Piper, Wendy  
Townsend, Charles

Bailey, Brad  
Ford, Susan  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Bennett, Travis  
Hennessey, Martha  
Massimilla, Linda  
Smith, Suzanne

#### HILLSBOROUGH

Adams, Christopher  
Beaulieu, Jane  
Brown, Pamela  
Cornell, Patricia  
Donovan, Daniel  
Forest, Armand  
Gonzalez, Carlos  
Haefner, Robert  
Heath, Mary  
Jeudy, Jean  
LeBrun, Donald  
Manley, Jonathan  
Ober, Russell  
Proulx, Mark  
Rouillard, Claire  
Snow, Kendall  
Takesian, Charlene  
Wolf, Terry

Backus, Robert  
Belanger, James  
Byron, Frank  
Cote, David  
Edwards, Elizabeth  
Freitas, Mary  
Gorman, Mary  
Halstead, Carolyn  
Herbert, Christopher  
Katsiantonis, Thomas  
Leishman, Peter  
McCarthy, Peggy  
Palmer, Barry  
Rice, Kimberly  
Shattuck, Gilman  
Soucy, Timothy  
Vann, Ivy  
Woodbury, David

Balcom, John  
Biggie, Barbara  
Coffey, James  
Danielson, David  
Estevez, Eric  
Gagne, Larry  
Gould, Linda  
Hansberry, Daniel  
Hinch, Richard  
Kurk, Neal  
Long, Patrick  
McNamara, Richard  
Pellegrino, Anthony  
Roberts, Carol  
Shaw, Barbara  
Souza, Kathleen  
Walsh, Robert

Baroody, Benjamin  
Booras, Efsthathia  
Cohen, Alan  
DiSilvestro, Linda  
Flanagan, Jack  
Goley, Jeffrey  
Griffin, Barbara  
Harvey, Suzanne  
Jack, Martin  
Lachance, Joseph  
Mangipudi, Latha  
O'Brien, Michael  
Pierce, David  
Rosenwald, Cindy  
Smith, Timothy  
Straight, Phillip  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
 Deloge, Helen  
 French, Barbara  
 Hirsch, Geoffrey  
 Kotowski, Frank  
 Marple, Richard  
 Patten, Dick  
 Saunderson, George  
 Wallner, Mary Jane

Bartlett, Christy  
 Doherty, David  
 French, Harold  
 Karrick, David  
 Kuch, Bill  
 McGuire, Dan  
 Ratzki, Mario  
 Schuett, Dianne  
 Walsh, Thomas

Bradley, Paula  
 Ebel, Karen  
 Henle, Paul  
 Kenison, Linda  
 Luneau, David  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen  
 Wheeler, Deborah

Carson, Clyde  
 Frazer, June  
 Hess, David  
 Kidder, David  
 MacKay, James  
 Myler, Mel  
 Rogers, Katherine  
 Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
 Borden, David  
 Chase, Francis  
 DeSimone, Debra  
 Fesh, Robert  
 Guthrie, Joseph  
 Introne, Robert  
 Manning, John  
 Milz, David  
 Peckham, Michele  
 Sweeney, Joe  
 Webb, James

Allen, Mary  
 Cahill, Michael  
 Christie, Andrew  
 Devine, James  
 Francese, Paula  
 Hagan, Joseph  
 Kappler, Lawrence  
 Matthews, Carolyn  
 Nigrello, Robert  
 Potucek, John  
 Sytek, John  
 Welch, David

Azarian, Gary  
 Cali-Pitts, Jacqueline  
 Cushing, Robert  
 Doucette, Fred  
 Gordon, Pamela  
 Harris, Jeffrey  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 O'Connor, John  
 Sherman, Thomas  
 Vose, Michael  
 Weyler, Kenneth

Berrien, Skip  
 Cardon, G. Thomas  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 McMahon, Charles  
 Pantelakos, Laura  
 Simpson, Alexis  
 Ward, Joanne  
 Woitkun, Steven

**STRAFFORD**

Berube, Roger  
 Horrigan, Timothy  
 Rollo, Deanna  
 Treleaven, Susan

Bickford, David  
 Kaen, Naida  
 Schmidt, Peter  
 Verschueren, James

Burton, Wayne  
 Leeman, Don  
 Southworth, Thomas  
 Wall, Janet

Gray, James  
 Mullen, John  
 Stevens, Audrey

**SULLIVAN**

Cloutier, John  
 Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

Grenier, James

**NAYS - 90  
BELKNAP**

Aldrich, Glen  
 Vadney, Herbert

Dumais, Russell  
 Varney, Peter

Howard, Jr., Raymond

Sylvia, Michael

**CARROLL**

Avellani, Lino

Comeau, Ed

McCarthy, Frank

Wright, Ted

**CHESHIRE**

McConnell, James

**COOS**

Rideout, Leon

Theberge, Robert

**GRAFTON**

Brown, Duane  
 Johnson, Eric

Darrow, Stephen

Gionet, Edmond

Hull, Robert

**HILLSBOROUGH**

Ammon, Keith  
 Eastman, Eric  
 Hogan, Edith

Boehm, Ralph  
 Edelblut, Frank  
 Hopper, Gary

Burt, John  
 Ferreira, Elizabeth  
 McLean, Mark

Christie, Rick  
 Fromuth, Bart  
 Moore, Josh

Murphy, Keith  
Peterson, Ken  
Simmons, Tammy

Notter, Jeanine  
Sanborn, Laurie  
Sullivan, Victoria

Ohm, Bill  
Schleien, Eric  
Ulery, Jordan

Parison, James  
Seidel, Carl  
Zaricki, Nick

### MERRIMACK

Brewster, Michael  
Martin, John

Hill, Gregory  
McGuire, Carol

Hoell, J.R.  
Seaworth, Brian

Horn, Werner

### ROCKINGHAM

Abramson, Max  
Chirichiello, Brian  
Gannon, William  
Itse, Daniel  
Rice, Frederick  
True, Chris

Baldasaro, Alfred  
Cook, Allen  
Gordon, Richard  
McBeath, Rebecca  
Schroader, Adam  
Tucker, Pamela

Barnes, Arthur  
Duarte, Joe  
Green, Dennis  
Oigny, Jeffrey  
Spillane, James

Bates, David  
Emerick, J. Tracy  
Hodgdon, Bruce  
Osborne, Jason  
Thomas, Douglas

### STRAFFORD

Baber, William  
DeLemus, Susan  
Jones, Laura  
Turcotte, Leonard

Bixby, Peter  
Graham, Robert  
Kaczynski, Jr., Thomas  
Wuelper, Kurt

Cheney, Catherine  
Groen, Warren  
Pitre, Joseph

Cilley, Jacalyn  
Hannon, Joseph  
Spang, Judith

### SULLIVAN

Converse, Larry  
Smith, Steven

Irwin, Virginia

Laware, Thomas

Rollins, Skip

and the committee report was adopted.

### REGULAR CALENDAR CONT'D

#### **HB 594-FN-A, establishing keno. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for the Majority of Ways and Means. This bill calls for the expansion of Lottery by allowing for the introduction of Keno at establishments that pour liquor as defined by the liquor statutes listed in the amendment. Unlike other states, Keno will not be allowed to be played in convenience stores. There is an annual license fee to the establishment of \$500 which goes to the Education Trust Fund. The licensee will retain 8% of sales. The Department of Health and Human Services retains 1% of the remainder for problem gambling intervention. The Lottery Commission takes 2% of sales for administrative costs. Prize payouts will amount to 70% of sales. The balance of the sales revenue goes to the Education Trust Fund. Within two years of passage revenue is estimated to be approximately between \$8-9 million annually. Towns and cities must vote in the affirmative to allow Keno to be played within their municipality. The game of Keno utilizes the same equipment that is utilized for all the other Lottery games and will be monitored centrally at Lottery headquarters. Lottery has the infrastructure in place to easily accommodate this new game. It is well known that all the top revenue establishments in Massachusetts that have Keno are along the New Hampshire southern border which are frequented by many NH citizens. By allowing Keno in NH much of this revenue will be brought back to our state. This will be a win for NH restaurants as well as NH veterans' and other social clubs who want to participate, in addition to being a win for the Education Trust Fund. It also provides a way for our Lottery system to grow and to insure sufficient funds continue to flow into the Education Trust Fund. Keno was voted as the House position in 2014 and once again as the House position when it was voted on the House floor to be added to HB 2 in the original FY 2016-17 budget vote. Keno was also in the original FY 2016-17 budget submitted by the Governor. Vote 12-7. Rep. Mary Cooney for the Minority of Ways and Means. This bill would allow Keno to be played in most establishments that hold a liquor license. One problem that arises is that since Keno is considered a lottery game a player must only be 18 to play, but still 21 to drink alcohol. Keno, as it is played today is on video terminals. For some it is very addictive. Because it is electronic, the games offer many different scenarios with jackpots, roll-overs and multipliers. The minority feels that such addictive terminals should not be located in NH restaurants where children dine with their parents. Massachusetts, where Keno is everywhere lottery is sold, and before any casinos were approved, has some of the highest per capita spending on gambling in the country. NH should not want to join Massachusetts in this dubious distinction.

**Majority Amendment (2481h)**

Amend RSA 284:45, VI as inserted by section 1 of the bill by replacing it with the following:

VI. To be eligible for licensure under this subdivision an applicant shall:

(a) Document that it is one of the following:

- (1) A restaurant or hotel holding a valid liquor license under RSA 178:20, II, RSA 178:21, II(a) or (b), or RSA 178:22, V(q).
- (2) A brew pub holding a valid liquor license under RSA 178:13.
- (3) A ballroom holding a valid liquor license under RSA 178:22, V(c).
- (4) A veterans' club, private club, or social club holding a valid liquor license under RSA 178:22, V(h).
- (5) A convention center holding a valid liquor license under RSA 178:22, V(i).
- (6) A hotel holding a valid liquor license under RSA 178:22, V(k).
- (7) A racetrack holding a valid liquor license under RSA 178:22, V(n).
- (8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).

(b) Document that the keno games will only be operated in towns and cities that have voted to allow the operation of keno games pursuant to RSA 284:51.

(c) Maintain a current list of employees.

Amend RSA 284:45 as inserted by section 1 of the bill by inserting after paragraph VI the following new paragraph:

VII. Any suspension or revocation of a liquor license shall result in the immediate suspension of the keno license issued under this chapter.

Amend RSA 284:51 as inserted by section 1 of the bill by replacing it with the following:

284:51 Local Option.

I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of keno games within the town or city?"

II. If a majority of those voting on the question vote "Yes," keno games may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of keno games may consider rescinding its action in the manner described in paragraph I of this section.

V. The lottery commission shall maintain a list of municipalities where keno is available.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Cooney spoke against.

Rep. Abrami spoke in favor and yielded to questions.

On a division vote, with 182 members having voted in the affirmative and 137 in the negative, the majority committee report was adopted and ordered to third reading.

**MOTION TO REMOVE FROM THE TABLE**

Rep. Haefner moved that **HB 372**, relative to certain private employers under workers' compensation, be removed from the table.

Motion adopted.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Haefner spoke in favor.

Rep. Bartlett spoke against and requested a roll call; sufficiently seconded.

## YEAS 270 NAYS 39

### YEAS - 270

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

#### CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Mann, John	McConnell, James
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

#### COOS

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Rideout, Leon
Tholl, John	Thomas, Yvonne		

#### GRAFTON

Almy, Susan	Bennett, Travis	Brown, Duane	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Higgins, Patricia
Hull, Robert	Johnson, Eric	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles			

#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Baroody, Benjamin
Barry, Richard	Belanger, James	Biggie, Barbara	Boehm, Ralph
Brown, Pamela	Burt, John	Byron, Frank	Christie, Rick
Coffey, James	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Forest, Armand
Freitas, Mary	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Hinch, Richard	Hogan, Edith
Hopper, Gary	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
Moore, Josh	Murphy, Keith	Notter, Jeanine	O'Brien, Michael
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Snow, Kendall	Soucy, Timothy	Souza, Kathleen
Straight, Phillip	Sullivan, Victoria	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David	Zaricki, Nick		

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Hill, Gregory  
Karrick, David  
Luneau, David  
McGuire, Dan  
Rogers, Katherine  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kenison, Linda  
Marple, Richard  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Brewster, Michael  
French, Harold  
Hoell, J.R.  
Kotowski, Frank  
Martin, John  
Myler, Mel  
Schuett, Dianne

Carson, Clyde  
Henle, Paul  
Horn, Werner  
Kuch, Bill  
McGuire, Carol  
Ratzki, Mario  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Borden, David  
Christie, Andrew  
Devine, James  
Fesh, Robert  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Schroadter, Adam  
Sweeney, Joe  
Tucker, Pamela  
Welch, David

Abramson, Max  
Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cook, Allen  
Duarte, Joe  
Francese, Paula  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McKinney, Betsy  
O'Connor, John  
Peckham, Michele  
Sherman, Thomas  
Sytek, John  
Vose, Michael  
Weyler, Kenneth

Allen, Mary  
Bates, David  
Chase, Francis  
Dean-Bailey, Yvonne  
Elliott, Robert  
Gannon, William  
Hagan, Joseph  
Introne, Robert  
Lovejoy, Patricia  
McMahon, Charles  
Oigny, Jeffrey  
Potucek, John  
Simpson, Alexis  
Thomas, Douglas  
Ward, Joanne

Azarian, Gary  
Berrien, Skip  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Manning, John  
Milz, David  
Osborne, Jason  
Rice, Frederick  
Spillane, James  
True, Chris  
Webb, James

**STRAFFORD**

Baber, William  
Burton, Wayne  
Graham, Robert  
Jones, Laura  
Mullen, John  
Spang, Judith  
Verschueren, James

Berube, Roger  
Cheney, Catherine  
Gray, James  
Kaczynski, Jr., Thomas  
Pitre, Joseph  
Stevens, Audrey  
Wall, Janet

Bickford, David  
DeLemus, Susan  
Groen, Warren  
Kaen, Naida  
Rollo, Deanna  
Treleaven, Susan  
Wuelper, Kurt

Bixby, Peter  
Gardner, Janice  
Hannon, Joseph  
Leeman, Don  
Schmidt, Peter  
Turcotte, Leonard

**SULLIVAN**

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Rollins, Skip

**NAYS - 39****CARROLL**

Ticehurst, Susan

Parkhurst, Henry

Roberts, Kris

Theberge, Robert

**CHESHIRE****COOS****GRAFTON**

Abel, Richard  
White, Andrew

Brown, Rebecca

Hennessey, Martha

Maes, Kevin

**HILLSBOROUGH**

Booras, Efsthathia  
Goley, Jeffrey  
Long, Patrick  
Shaw, Barbara

Cohen, Alan  
Gorman, Mary  
McLean, Mark  
Simmons, Tammy

Edwards, Elizabeth  
Hansberry, Daniel  
Rosenwald, Cindy  
Smith, Timothy

Fromuth, Bart  
Jack, Martin  
Shattuck, Gilman

**MERRIMACK**

Bartlett, Christy  
 Gile, Mary  
 Wallner, Mary Jane

Deloge, Helen  
 MacKay, James

Frazer, June  
 Rice, Chip

French, Barbara  
 Turcotte, Alan

**ROCKINGHAM**

Cahill, Michael

Cushing, Robert

Gordon, Pamela

McBeath, Rebecca

**STRAFFORD**

Horrigan, Timothy

**SULLIVAN**

Cloutier, John

and the majority committee report was adopted and referred to the Committee on Labor, Industrial and Rehabilitative Services.

**BILLS REMOVED FROM THE CONSENT CALENDAR OF JANUARY 7, 2016**

**HB 211**, establishing a commission to study domestic affairs. **INEXPEDIENT TO LEGISLATE.** Rep. Kimberly Rice for Children and Family Law. The concerns contained in this bill were incorporated into an amendment to HB 378, therefore making HB 211 unnecessary. Vote 14-1. Committee report adopted.

**HB 378**, relative to shared residential responsibility and establishing a commission to study child support and related child care issues. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra DeSimone for Children and Family Law. The committee retained 3 study bills, including this bill. The proposed amendment to this bill incorporates issues from the other 2 bills. The amended bill studies the impact of the parental rights statute enacted 10 years ago. It also studies the child support guidelines enacted in 2013. Vote 15-0.

**Amendment (2405h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties.

I. The committee shall review implementation of RSA 461-A, relative to parental rights and responsibilities, and the revised child support formula, adopted pursuant to RSA 458-C, as amended by 2012, 248. The study shall address the following questions:

(a) Did adoption of RSA 461-A meet the legislature's goal of minimizing the adversarial nature of divorce and parenting cases?

(b) Could RSA 461-A and RSA 458-C be amended to further reduce the adversarial nature of such proceedings?

(c) Would specific guidelines for shared and split parenting cases improve outcomes and reduce conflict?

(d) What effect has the loss of state funding for guardians ad litem had on low income cases?

(e) Have changes in the child support guidelines been equitable for both parents and provided adequate and appropriate support for children?

(f) How have changes to the child support guidelines affected low and high income parents?

(g) What criteria is used for the 4-year review of the child support guidelines, required under RSA 458-C:6 and 42 U.S.C. section 667, and would changes to the review's scope or procedures be appropriate?

II. The committee may solicit information and testimony from any individual and organization the committee deems relevant to its study, including:

(a) Family law attorneys.

(b) The department of health and human services, division of child support services.

(c) The New Hampshire Coalition Against Domestic and Sexual Violence.

(d) The New Hampshire Conflict Resolution Association.

(e) Child psychologists.

(f) The university of New Hampshire cooperative extension.

(g) Judges and masters assigned to the circuit court, family division.

(h) Guardians ad litem.

(i) Members of the public who were parties to parenting cases under RSA 461-A or RSA 458-C, including individuals who were satisfied and those who were dissatisfied with the legal process.

4 Chairperson; Quorum. The first-named house member shall serve as chairperson of the committee and shall call the first meeting of the committee. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the chairperson of the house children and family law committee, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill establishes a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 400-FN**, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Hinch for Legislative Administration. This bill prohibits deductions of any kind from the compensation or mileage reimbursements paid to state representatives. While we understand the concern of the members who brought this bill forward, the issue has been addressed in the past. It is the Internal Revenue Service code that dictates the withholding of taxes from legislative compensation. The legislature is not in a position to address the issue of what the federal government views as taxable or not taxable, and therefore we believe the recommendation of Inexpedient to Legislate is the correct outcome. Vote 9-1.

Rep. Hinch spoke in favor and yielded to questions.

Rep. Marple spoke against, yielded to questions and requested a roll call; sufficiently seconded.

#### YEAS 224 NAYS 75

##### YEAS - 224

##### BELKNAP

Dumais, Russell  
Fraser, Valerie

Fields, Dennis  
LeBreche, Shari

Fisher, Robert  
Spanos, Peter

Flanders, Donald  
Tilton, Franklin

##### CARROLL

Buco, Thomas  
McCarthy, Frank  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen



**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Ames, Richard  
Hunt, John  
Pearson, William  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Mann, John  
Phillips, Larry  
Shepardson, Marjorie

Bordenet, John  
McConnell, James  
Roberts, Kris  
Sterling, Franklin

**COOS**

Moynihan, Wayne  
Tholl, John

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Hull, Robert  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Ford, Susan  
Johnson, Eric  
Piper, Wendy  
Townsend, Charles

Bennett, Travis  
Hennessey, Martha  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Cohen, Alan  
Edelblut, Frank  
Freitas, Mary  
Gorman, Mary  
Hansberry, Daniel  
Hopper, Gary  
Leishman, Peter  
McNamara, Richard  
Ober, Russell  
Pierce, David  
Rouillard, Claire  
Shattuck, Gilman  
Soucy, Timothy  
Twombly, Timothy  
Woodbury, David

Barry, Richard  
Brown, Pamela  
Cornell, Patricia  
Estevez, Eric  
Gagne, Larry  
Gould, Linda  
Harvey, Suzanne  
Jack, Martin  
Long, Patrick  
Notter, Jeanine  
Ohm, Bill  
Proulx, Mark  
Sanborn, Laurie  
Shaw, Barbara  
Straight, Phillip  
Vann, Ivy

Belanger, James  
Byron, Frank  
Cote, David  
Flanagan, Jack  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Kurk, Neal  
Mangipudi, Latha  
O'Brien, Michael  
Palmer, Barry  
Rice, Kimberly  
Schleien, Eric  
Smith, Timothy  
Sullivan, Victoria  
Walsh, Robert

Biggie, Barbara  
Christie, Rick  
Danielson, David  
Forest, Armand  
Gonzalez, Carlos  
Halstead, Carolyn  
Hinch, Richard  
LeBrun, Donald  
McLean, Mark  
Ober, Lynne  
Pellegrino, Anthony  
Rosenwald, Cindy  
Seidel, Carl  
Snow, Kendall  
Takesian, Charlene  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Turcotte, Alan

Bartlett, Christy  
Doherty, David  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Martin, John  
Rice, Chip  
Seaworth, Brian  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Horn, Werner  
Kuch, Bill  
Moffett, Howard  
Rogers, Katherine  
Shurtliff, Stephen

**ROCKINGHAM**

Abrami, Patrick  
Berrien, Skip  
Cushing, Robert  
Fesh, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McMahon, Charles  
Oligny, Jeffrey  
Sherman, Thomas  
Thomas, Douglas

Allen, Mary  
Cahill, Michael  
Dean-Bailey, Yvonne  
Francesse, Paula  
Griffin, Mary  
Introne, Robert  
Manning, John  
Milz, David  
Pantelakos, Laura  
Simpson, Alexis  
Ward, Joanne

Azarian, Gary  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Gordon, Pamela  
Harris, Jeffrey  
Kappler, Lawrence  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Sweeney, Joe

Barnes, Arthur  
Christie, Andrew  
Duarte, Joe  
Gordon, Richard  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McBeath, Rebecca  
O'Connor, John  
Schroadter, Adam  
Sytek, John

**STRAFFORD**

Baber, William  
Burton, Wayne  
Kaen, Naida  
Schmidt, Peter  
Verschuere, James

Berube, Roger  
Cheney, Catherine  
Leeman, Don  
Spang, Judith  
Wall, Janet

Bickford, David  
Gardner, Janice  
Mullen, John  
Stevens, Audrey

Bixby, Peter  
Gray, James  
Rollo, Deanna  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

Grenier, James  
Smith, Steven

**NAYS - 75****BELKNAP**

Aldrich, Glen  
Varney, Peter

Howard, Jr., Raymond

Hurt, George

Vadney, Herbert

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Wright, Ted

**CHESHIRE**

Tilton, Benjamin

**COOS**

Fothergill, John

Thomas, Yvonne

**GRAFTON**

Brown, Duane

Gionet, Edmond

**HILLSBOROUGH**

Adams, Christopher  
Christiansen, Lars  
Ferreira, Elizabeth  
Hogan, Edith  
Murphy, Keith  
Ulery, Jordan

Ammon, Keith  
Coffey, James  
Fromuth, Bart  
Lachance, Joseph  
Parison, James  
Zaricki, Nick

Boehm, Ralph  
Eastman, Eric  
Griffin, Barbara  
Manley, Jonathan  
Simmons, Tammy

Burt, John  
Edwards, Elizabeth  
Hansen, Peter  
Moore, Josh  
Souza, Kathleen

**MERRIMACK**

Brewster, Michael  
Marple, Richard

French, Harold  
McGuire, Carol

Hill, Gregory  
McGuire, Dan

Hoell, J.R.

**ROCKINGHAM**

Abramson, Max  
Cook, Allen  
Gannon, William  
Peckham, Michele  
Tucker, Pamela

Baldasaro, Alfred  
Devine, James  
Itse, Daniel  
Rice, Frederick  
Vose, Michael

Bates, David  
Elliott, Robert  
McKinney, Betsy  
Spillane, James  
Welch, David

Chase, Francis  
Emerick, J. Tracy  
Osborne, Jason  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

DeLemus, Susan  
Horrigan, Timothy  
Turcotte, Leonard

Graham, Robert  
Jones, Laura  
Wuelper, Kurt

Groen, Warren  
Kaczynski, Jr., Thomas

Hannon, Joseph  
Pitre, Joseph

**SULLIVAN**

Converse, Larry  
and the committee report was adopted.

Laware, Thomas

**HB 585-FN-A, relative to fines for violation of alcoholic beverage laws. OUGHT TO PASS WITH AMENDMENT.**

Rep. David Karrick for Ways and Means. Abuse and misuse of alcohol and resulting negative behavior, including domestic violence and criminal activity, imposes substantial costs on the state, businesses, communities, and families. There is presently a penalty assessment for violations of the liquor statutes when adjudicated by a court but no assessment when the Liquor Commission levies fines. The amendment makes the penalty assessment at the commission level equal to the court level and corrects statutory references. The added revenue is split equally three ways between the victims' assistance, domestic violence, and alcohol abuse prevention and treatment funds. Vote 19-0.

**Amendment (2403h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to penalty assessments.

Amend the bill by replacing sections 2 and 3 with the following:

2 New Subparagraph; General Revenue Exceptions. Amend RSA 6:12, I(b) by inserting after subparagraph (330) the following new subparagraph:

(331) Moneys received pursuant to RSA 179:64, which shall be deposited in accordance with RSA 179:64, IV.

3 New Section; Penalty Assessment; Waiver of Penalty. Amend RSA 179 by inserting after section 63 the following new section:

179:64 Penalty Assessment; Waiver of Penalty.

I. The commission shall levy a penalty assessment of \$12 or 24 percent, whichever is greater, on each fine or penalty imposed by the commission for a violation of RSA title XIII.

II. If multiple offenses are involved, the penalty assessment shall be imposed on the total fine.

III. If a fine is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

IV. The commission shall collect all penalty assessments and shall transmit the amount collected under paragraphs I-III to the state treasurer for deposit in the following funds. The state treasurer shall deposit 33 1/3 percent of the amount collected in the victims' assistance fund, 33 1/3 percent of the amount collected in the special fund for domestic violence programs, and 33 1/3 percent of the amount collected in the alcohol abuse prevention and treatment fund.

V. If it is determined by the commission that the payment of all or any part of a penalty assessment would work a hardship on the person convicted or on such person's immediate family, the commission may suspend the payment of all or any part of the assessment.

Amend the bill by replacing all after section 4 with the following:

5 Penalty Assessments. Amend RSA 188-F:31, I to read as follows:

I. Every court shall levy a penalty assessment of [~~\$2~~] **\$12** or 24 percent, whichever is greater, on each fine or penalty imposed by the court for a criminal offense *or violation of law*, including any fine or penalty for a violation of RSA title XXI or any municipal ordinance, except for a violation of a municipal ordinance relating to motor vehicles unlawfully left or parked. Notwithstanding any law or rule to the contrary, the penalty assessment shall be levied in addition to the amount of the fine or penalty imposed by the court.

6 Effective Date. This act shall take effect July 1, 2016.

**AMENDED ANALYSIS**

This bill establishes a penalty assessment for violation of alcoholic beverage laws. This bill also modifies penalty assessments under RSA 188-F:31.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Ohm offered floor amendment (0108h).

**Amendment (0108h)**

Amend the bill by deleting section 5 and renumbering the original section 6 to read as 5.

**AMENDED ANALYSIS**

This bill establishes a penalty assessment for violation of alcoholic beverage laws.

Rep. Ohm spoke in favor.

Floor amendment (0108h) adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
 Rep. Rideout spoke against.  
 Rep. Abrami spoke in favor.  
 Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 204 NAYS 89****YEAS - 204****BELKNAP**

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Spanos, Peter
Tilton, Franklin			

**CARROLL**

Chandler, Gene	Crawford, Karel	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

**COOS**

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Theberge, Robert
Tholl, John	Thomas, Yvonne		

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Duane
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Belanger, James	Booras, Efstathia
Brown, Pamela	Byron, Frank	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	Edelblut, Frank
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gagne, Larry
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Hinch, Richard	Jack, Martin	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Pierce, David	Proulx, Mark	Rosenwald, Cindy
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara
Henle, Paul	Hirsch, Geoffrey	Horn, Werner	Karrick, David
Kenison, Linda	Kotowski, Frank	Kuch, Bill	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schueett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Berrien, Skip
Cahill, Michael	Chase, Francis	Christie, Andrew	Cook, Allen
Cushing, Robert	DeSimone, Debra	Devine, James	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Fesh, Robert	Francesse, Paula
Gordon, Pamela	Griffin, Mary	Hoelzel, Kathleen	Introne, Robert
Katsakiores, Phyllis	Lovejoy, Patricia	Manning, John	Matthews, Carolyn
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Oigny, Jeffrey	Pantelakos, Laura	Peckham, Michele	Potucek, John
Sherman, Thomas	Simpson, Alexis	Sweeney, Joe	Sytek, John
Ward, Joanne	Welch, David		

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Gardner, Janice	Gray, James	Horrigan, Timothy
Kaen, Naida	Leeman, Don	Mullen, John	Rollo, Deanna
Schmidt, Peter	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Rollins, Skip	Smith, Steven		

**NAYS - 89****BELKNAP**

Aldrich, Glen	Fisher, Robert	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Vadney, Herbert	Varney, Peter	

**CARROLL**

Avellani, Lino	Buco, Thomas	Butler, Edward	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	Wright, Ted	

**CHESHIRE**

Eaton, Daniel	Hunt, John	McConnell, James
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**COOS**

Rideout, Leon

**GRAFTON**

Hull, Robert	Johnson, Eric
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**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Biggie, Barbara	Boehm, Ralph
Burt, John	Christie, Rick	Eastman, Eric	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda
Hansen, Peter	Hogan, Edith	Hopper, Gary	Leishman, Peter
McLean, Mark	Moore, Josh	Murphy, Keith	Notter, Jeanine
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Simmons, Tammy	Souza, Kathleen	Sullivan, Victoria	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Martin, John	McGuire, Carol	McGuire, Dan	Seaworth, Brian

**ROCKINGHAM**

Abramson, Max  
Cali-Pitts, Jacqueline  
Green, Dennis  
Kappler, Lawrence  
Schroadter, Adam  
Tucker, Pamela

Allen, Mary  
Dean-Bailey, Yvonne  
Harris, Jeffrey  
McBeath, Rebecca  
Spillane, James  
Vose, Michael

Baldasaro, Alfred  
Gannon, William  
Hodgdon, Bruce  
Osborne, Jason  
Thomas, Douglas  
Weyler, Kenneth

Bates, David  
Gordon, Richard  
Itse, Daniel  
Rice, Frederick  
True, Chris

**STRAFFORD**

Bickford, David  
Hannon, Joseph  
Turcotte, Leonard

DeLemus, Susan  
Jones, Laura  
Wuelper, Kurt

Graham, Robert  
Kaczynski, Jr., Thomas

Groen, Warren  
Pitre, Joseph

and the committee report was adopted and referred to the Committee on Finance.

**HB 668-FN**, relative to expense deductions under the business profits tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Gallagher for Ways and Means. This bill allows a business organization to calculate increased expense deductions as defined by IRS code section 179, but not to exceed \$100,000, per calendar year under the Business Profits Tax. Testimony was received from CPA firms and the Department of Revenue Administration that the impact to business would be very difficult to measure. The additional concern expressed by accounting firms was that few businesses could potentially be economically impacted. The Department of Resources and Economic Development suggested that many business entities would not take advantage of the opportunity and that this incentive would not significantly impact important business decision making. Vote 19-0.

**MOTION TO SPECIAL ORDER**

Rep. Abrami moved that **HB 668-FN**, relative to expense deductions under the business profits tax, be made a Special Order in its Regular Calendar order for the House Session of February 10, 2016. Motion adopted.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, January 27, 2016 at 10:00 a.m..

**LATE SESSION****Third Reading and Final Passage**

**HB 301**, establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level.

**HB 359**, allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction.

**HB 594-FN-A**, establishing keno.

**HB 378**, establishing a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.

**HB 585-FN-A**, relative to penalty assessments.

**UNANIMOUS CONSENT**

Rep. Stephen Schmidt requested Unanimous Consent of the House regarding memorial remarks for the former member from Wolfeboro, the Honorable David Knox.

Rep. Stephen Schmidt addressed the House.

Rep. Mangipudi requested Unanimous Consent of the House regarding the Indian Harvest Festival.

Rep. Mangipudi addressed the House.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the Representative from Wolfeboro, the Honorable David Knox.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Stephen Schmidt be printed in the Permanent Journal.  
Motion adopted.

**REMARKS**

**Rep. Stephen Schmidt:** Thank you, Mister Speaker. A kind, gentle and thoughtful gentleman passed away on January 15, 2016. John David Knox or David as he preferred to be called served four terms in the New Hampshire House from 2004 to 2012 representing Wolfeboro, Tuftonboro and Moultonborough. He sat on the Environment and Agriculture Committee. David loved serving as a Representative and particularly loved the process of governing. By any measure, David belonged to the moderate wing of the Republican Party. He believed in civil discourse and compromise. Harsh rhetoric, pledges and frozen positions were not how David viewed his role in the Legislature. When I first ran for office in November 2010, I sat down with David to get his perspective on what being a good Representative was all about. He advised me to never cast a vote without having read the bill, to determine if the bill was really necessary, to determine if the bill was positive or detrimental to my constituents and lastly, that a good idea was a good idea regardless of who proposed it. His advice was excellent then and remains so today. David would read the various position sheets but always cast his vote based on his own analysis. One might disagree with some of his votes, but you knew with absolute certainty that they were all cast with integrity. For those reasons you could never be angry with him. He was absolutely a man of principle. David was a teacher by profession. He taught American Government and History at Kingswood High School for over thirty years. During that time he taught several generations and was loved and respected by all. David excelled at being a teacher and provided his pupils a love for America and the brilliance of our founders who established the foundations of our Republic. He encouraged his pupils to involve themselves in clubs such as Youth and Government, Model Congress and Close Up. He also facilitated visits from various candidates to Kingswood to get students more involved in the political process. I last saw David in a social setting last March during our Carroll County Lincoln Day Dinner. Our guest speaker was and is a candidate for President but David was more excited to introduce two young guests from Kingswood High School. He wanted them to experience the excitement of a Presidential campaign and have the opportunity to meet the various dignitaries attending. You see, David never stopped being a teacher. David was also something of a "Renaissance Man." He had a fine singing voice and a passion for music. He was a member of the Wolfeboro All Saints Episcopal Church choir for over forty years and also sang with the Clear Lakes Chorale as well as the Kingswood High School production of the "Music Man." He was indeed a well-rounded and giving man. At this point I would be remiss not to point out that David is survived by his daughters Beth Ann and Sarah, grandchildren Tyler and Alexis, sister Jane, brother James, companion Penny and nieces and nephews. David's wife of thirty eight years, Gay, predeceased him. Lastly, as we all travel down life's path, we ultimately come to the realization that the path in front of us is much shorter than the path behind. At this point it's tempting to look over our shoulders and see if we have left enduring footprints during our journey. Have we lived a good life? I can say without question that David's footprints will long endure and that his legacy will be remembered by all those fortunate enough to have been touched by his presence. Rest well my friend.

**RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 4:20 p.m.

**RECESS**

**(Rep. Hinch in the Chair)**

**ENROLLED BILL AMENDMENT**

**SB 576-FN-A**, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs.  
(Amendment printed SJ 1-26-16)

Adopted.

**RECESS****(Speaker Jasper in the Chair)****ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 331 and 555 and Senate Bills numbered 447 and 576.

Rep. Hinch, Sen. D'Allesandro, for the Committee

**SENATE MESSAGES****CONCURRENCE**

**SB 146**, relative to accessory dwelling units.

**SB 265-FN**, establishing the achieving a better life experience (ABLE) savings account program.

**NONCONCURRENCE**

**HB 192**, relative to the valuation of utility property.

**HB 380**, relative to investigations of child day care agencies.

**REFERRED FOR INTERIM STUDY**

**HB 195**, relative to continuing care communities.

**HB 383**, relative to the immunization/vaccination registry.

**HB 593-FN**, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.

**HB 613**, relative to governmental records exempted under the right-to-know law.

**RECESS****(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.



## HOUSE JOURNAL NO. 4

Wednesday, January 27, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. We pray for Your blessing, O God, on the members of this House and for all who work with them. We pray for Your blessing, O God, on the people of New Hampshire who are the reason for the existence of this body and the motivation for all that is accomplished in this place. As we give thanks for honest government and fair representation, we recognize the power that comes with freedom, and ask that You would guide and inspire the decisions that are made here today. And in this momentous year, as we focus our minds on future decisions, and as the eyes of the world are focused on this Primary State, help us to continue to use our power thoughtfully, with open eyes, listening ears and discerning hearts. We give thanks for our freedom of choice. May we be inspired to choose well for the good of Your beloved people, in this country and throughout the world. Amen.

Representative Victoria Sullivan, member from Manchester, led the Pledge of Allegiance.

The National Anthem was sung by Kara Lyford of Merrimack, granddaughter of Rep. Forest.

### LEAVES OF ABSENCE

Reps. Bartlett, Chris Brown, Comtois, Dumais, Emerson, Fisher, Gargasz, Green, Infantine, Kellogg, Kidder, Knowles, Major, Moody, Palmer, Phillips, Priestley, Chip Rice, Kimberly Rice, Rollo, Sanders and Gregory Smith, the day, illness.

Reps. Booras, Bouldin, Rebecca Brown, Francis Chase, DeSimone, Donovan, Jones, LeBreche, Nigrello, O'Hearne, O'Neil, Oligny, Parison, Rowe, Russell, Scontsas, Jeffrey Shackett, Timothy Smith, Spillane, Daniel Sullivan, Tamburello and Tucker, the day, important business.

Rep. Ohm, the day, illness in the family.

### INTRODUCTION OF GUESTS

Eagle Scout, Anthony Dickerson of Raymond, Page for the day.

Manis Brennan, guest of Rep. Burton. Lori Davis, guest of Reps. Whitehouse and Pitre. Stephen Blakney, Husband of Rep. Treleaven. June Dickerson and Jane Bailey, mother and grandmother of the Page, guests of Rep. Kappler. Lucille Forest, wife of Rep. Forest. The Honorable Jeffrey Brown, former member from Seabrook, guest of Rep. Cushing. The Honorable Sally Kelly, former member from Chichester, guest of Reps. Doherty, Schuett and Seaworth.

### SENATE MESSAGE

#### NONCONCURS WITH AMENDMENT

#### REQUESTS COMMITTEE OF CONFERENCE

**SB 369-FN**, encouraging public schools to include drug and alcohol education as part of their health education curriculum.

The President appointed Sens. Bradley, Stiles and Kelly.

Rep. Ladd moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Ladd, Kurk, Hinch and Shaw.

### CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HJR 3**, calling for the investigation and defunding of Planned Parenthood, removed by Rep. Groen.

**HB 1350**, relative to allodial rights and violations of the oath of office, removed by Rep. Marple. Consent Calendar adopted.

Rep. Berch declared a conflict of interest on **HB 1677-FN** and did not participate in the vote on the Consent Calendar.

**HB 1193**, relative to the wellness and primary prevention council. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. The Wellness and Primary Prevention Council has been operating successfully for many years. Its emphasis on prevention is an extremely high priority in health care. This legislation as amended clarifies the administrative role of the Department of Health and Human Services and the council. It also provides that if funds are available the department could provide a coordinator of wellness and primary prevention programs after consultation with the council. Vote 16-0.

**Amendment (0057h)**

Amend RSA 126-M:3, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) *After consultation with the council, the department of health and human services* shall, to the extent of available funds, ~~[seek]~~ *provide* a coordinator of wellness and primary prevention programs, to assist the council in the performance of its duties. The department of health and human services shall provide information and administrative support to the council as ~~[is reasonable and requested by the council]~~ *the department may deem reasonable*.

**HB 1217**, relative to the duties of and meeting requirements for the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Heffron for Judiciary. This bill would make several changes to the operation of the Judicial Council, an organization created by statute "to serve as a catalyst for the discussion of legal and judicial issues through seminars, forums and special studies, and any other means." The first proposed change would delete language in the statute enabling the council to avail itself of private funding as well as state funding. The committee saw no reason to make this change. The second proposed change would "allow the public to speak on any issue at meetings of the council." The committee heard testimony that the council has limited time to transact its business and that there are ways that members of the public can make suggestions to members of the council outside of its meetings. The third proposed change would require the council to hold a meeting in June, as well as in January, April and October. This would limit the flexibility of the council, which consists of members donating their time, and in any event, the council often holds a fourth meeting at some time during the year. The fourth proposed change would require the posting of a notice of each council meeting in the House Calendar at least 10 days in advance of the meeting. The committee heard testimony that the council posts notices of its meetings on its website and has tried to place a notice of meeting in the House Calendar but decided against this in consultation with the previous House Clerk. Accordingly, the committee voted unanimously to recommend Inexpedient to Legislate. Vote 16-0.

**HB 1676**, relative to attachments on benefits under the judicial retirement plan. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. This bill seeks to change the current statutory judicial retirement plan. At present, the benefits and rights of judicial enrollees are protected from attachment, execution or similar process, just as are the benefits of state employees in other statutory plans. This bill seeks to expose one-half of the benefits of judicial enrollees to assignment, execution or attachment to satisfy a court order. The sponsor was unable to give the committee any cogent reason why judicial benefits should be exposed when the benefits of other state and municipal employees were not so exposed. Vote 17-0.

**HB 1677-FN**, abolishing the supreme court general counsel position and the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. This bill seeks to abolish the Judicial Council and to give its functions to the Attorney General. Despite the title, the bill does not mention the Supreme Court General Counsel. If adopted, this measure would not only increase the duties of the Attorney General, but would create an intolerable conflict of interest with the state's chief prosecutor choosing and supervising the opposing attorneys of the Public Defender's Office. The Judicial Council has performed well for many years and should be preserved as it now is. Vote 15-0.

**HB 1345**, repealing the age limit for sheriffs. **INEXPEDIENT TO LEGISLATE.**

Rep. Ken Peterson for Municipal and County Government. Sponsors of this legislation were convinced that an age limitation of sheriffs while having no such limit on the officers working for the sheriff as well as police chiefs and other law enforcement officers was something that needed

to be addressed. The age limit had no real relationship to one's physical ability. However, during testimony it was pointed out that the NH Constitution sets the age limit on judges and sheriffs and a change to that would require a constitutional amendment. Knowing that, the sponsor of the bill asked the committee to recommend Inexpedient to Legislate. Vote 16-0.

**HB 1427-FN-A-L**, suspending the water and air pollution control facility property tax exemption and appropriating certain revenues for water pollution control grants to municipalities. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill is a variation of last year's HB 224 and deals with exemption from property taxes for water and air pollution control facilities installed by manufacturers, larger businesses and educational institutions. The state exempted these facilities from local property taxes to encourage the installation of equipment designed to meet EPA standards over the years. Initially, the exemption had a sunset date but that was eliminated in other legislation. Municipalities desire to obtain the revenue they would otherwise get and want the exemption to end. Those who have these facilities claim that subjecting them to local taxation will not only raise their cost of doing business but will force some to consider leaving the state, some to pass on the increases to consumers and others to possibly go out of business. This bill has a variation to last year's bill in that it suspends the exemption for only a two year period and uses the state income to fund matching grants for the cost of water pollution control projects for which the state portion of funding was never realized. The state's failure to fund special municipal projects should not be paid for by taxing unrelated and otherwise tax free property. Removing the tax exemption for a temporary period effective so quickly does not give the affected entities time to do any financial planning for the impact and simply opens the door to make the suspension of the exemption permanent. The committee has rejected attempts to re-establish a property tax for these pollution control systems in the past and saw no reason to change that position for this bill. Vote 16-0.

**HB 1505**, allowing municipalities to exempt water and sewer pollution control facilities owned by educational institutions from the local property tax. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This legislation was introduced in response to the introduction of HB 1427. HB 1427 proposes to eliminate a tax exemption for pollution control equipment for Franklin Pierce College and this bill proposes to allow that exemption to be re-established. However, the wording of this bill was not exclusive and would have applied to other educational institutions. A representative of Franklin Pierce College testified against this bill. This legislation is a moot issue if HB 1427 is found to be ITL. Knowing that the institution that was intended to benefit from this bill is opposed to it regardless of the outcome of other legislation convinced the committee that the bill should be found ITL. Vote 16-0.

**HB 1241**, establishing the alternative motto "scenic" for motor vehicle plates. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. The committee appreciates the sponsor's idea of a choice for a different message on our plates, however the cost to implement new plates remains prohibitive. Vote 15-0.

**HB 1477**, relative to the grace period for motor vehicle inspections. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. Vehicle transporters who take longer than 10 days to complete a trip are currently required to inspect a vehicle that they do not own. This bill fixes that inadvertent condition. Vote 13-2.

### REGULAR CALENDAR

**HB 1281**, relative to divorce petitions and procedures. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric Estevez for Judiciary. This bill is about automatic temporary restraining orders and what the qualifications are for who can apply for joint divorce petitions. This bill allows either party to transfer from a joint account to an account in his or her name, half of the total amount of \$10,000, whichever is less. This bill also eliminates domicile provisions. Essentially, if enacted, this bill will allow people to come to New Hampshire and use our state as a venue to get a divorce. In the final analysis, this bill is unclear and vague, such as the insurance provisions that do not include children. Vote 13-3.

Committee report adopted.

**HB 1119-L**, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. RSA 261:153, VI (b), enacted in 1998, enabled municipalities to add a surcharge to vehicle registrations, with the proceeds to be used to fund local transportation needs. The addition of such a surcharge must be approved by the voters, who also have final say over how the funds are used. Communities that have chosen to add the surcharge report using funds for road and bridge repairs, shuttle transportation for the elderly or infirm, sidewalk and bike path projects, among others. The original legislation set a surcharge cap of \$5.00 per vehicle, where it remains. HB 1119 amends the existing statute by raising the cap to \$10.00. As local voters decide whether or not to enact the surcharge, how much the surcharge will be, and how the resulting funds will be used in their community, this enabling legislation allows for complete local control. Vote 8-7.

Rep. James Coffey for the Minority of Municipal and County Government. This bill increases the maximum optional fee for transportation improvements that may be charged by municipalities when collecting motor vehicle registration fees. A minority of the committee believes that a 100% increase, from \$5 to \$10, was excessive even if it was to be a local option.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Burt requested a roll call; request withdrawn.

Majority committee report failed.

Rep. Kurk moved the minority committee report of Inexpedient to Legislate.

On a standing division vote, with 165 members having voted in the affirmative and 127 in the negative, the minority committee report was adopted.

**HB 1438-FN-L**, relative to the registration of antique trailers. **OUGHT TO PASS.**

Rep. Larry Gagne for Transportation. This bill eliminates the requirement that antique trailers have only one axle to qualify for antique plates. The focus of this bill is to remove the single wheel/single axle restriction found in RSA 261:89-a, II which presently limits antique trailers to very small units. The Division of Motor Vehicles and also the Department of Safety support this bill. There was no testimony given opposing this bill. Vote 15-0.

Committee report adopted and ordered to third reading.

### UNANIMOUS CONSENT

Rep. Myler requested Unanimous Consent of the House regarding the 30-year anniversary of the Space Shuttle Challenger disaster and Christa McAuliffe, the Concord teacher and crew member. Rep. Myler, standing with the Concord Delegation addressed the House.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of Christa McAuliffe and the Space Shuttle Challenger.

### MOTION TO PRINT REMARKS

The Speaker, without objection, ordered that the remarks made by Rep. Myler during Unanimous Consent be printed in the Permanent Journal.

### REMARKS

**Rep. Myler:** Thank you, Mister Speaker. On a cold morning, January 28, 1986, seven space explorers approached the Challenger Space Shuttle launch site in what would be, unbeknownst to them, their last voyage. Our own Christa McAuliffe was a member of the crew. Christa had competed with 11,000 teachers to be the first citizen to fly in space and to represent the nation's best in teaching via the Teacher In Space program sponsored by NASA. She was selected not because of her knowledge in science, or space, or math. No. She was selected because she was an excellent teacher, like so many others across the nation. She taught social studies at Concord High School. She challenged her students to be curious, to dream, to challenge themselves, to accept things not as they are but what they ought to be, to find their true passion in life, to have a voice for the things they care about, to take risks, to not accept the status quo, to make a difference, to care for others. She was selected because she was a

teacher's teacher. She exemplified all that was good in teaching. She always said, "I touch the future, I teach." Christa's selection excited a nation. For the average citizen, she represented the possibility that they too might become a space traveler. To teachers, she became their voice, their vision of respect for the teaching profession. Prior to her NASA training, she traveled the nation demonstrating a poise and intelligence that was infectious to those she touched. She was gregarious in a humble way. She was the symbol of not just good teaching, but what was good in America. The launch was delayed for two days because of an unusual cold spell in Florida. On the third morning, the New Hampshire delegation got the word that the launch was a "GO." There was a heavy frost on the car windows that cold, dark morning. Located a mile from the launch pad was the VIP section. There was Governor Sununu and other elected officials. Grace and Ed Corrigan, Christa's mother and father. Scott McAuliffe, Christa's son, class and teachers. The leadership team of NEA New Hampshire, Christa had been an active local leader in the association. And there were many others. In front of the VIP stands was a large digital clock counting down to launch. Speakers allowed us to hear the monotone voice of mission control in Houston. As the clock counted down, the excitement grew. 10, 9, 8 ignition – from a mile away you could feel the ground shake – 3, 2, 1 blast off. The shuttle took off in a bright, blue clear sky, a perfect launch. Seventy-three seconds into the flight, we heard mission control order, "Power up." At that moment, puffs of smoke appeared from the shuttle, followed by a fire ball in the sky and the shuttle trajectory was interrupted. Immediately, mission control said, "There has been a malfunction." Followed quickly by, "There has been a major malfunction." Those of us present in the VIP stands had no clue what we had just witnessed. NASA employees appeared immediately and ushered us back to the buses that would return us to the parking lot 30 minutes away. As we traveled, there was little conversation - we still were in the dark to the tragedy, there was no communication from NASA. I had to take my friends to the airport who were scheduled to return to New Hampshire. In the car, I turned on the radio. One of my friends said, "Turn it off." I did. We traveled to the airport in silent shock still not knowing what had happened to the shuttle. When we got to the airport, I called Diane, my wife, 90 minutes after the explosion, and was informed all had perished. Gone were seven lives. All had trained together. They were a crew of space explorers. They knew the danger. They knew the risks. For those of us who knew Christa, there was immediate concern for Steve, Scott, and Caroline. Gone was the wife and mother. Gone was the teacher's teacher. Gone was the spokesperson who was so articulate in speaking for the teaching profession. However, on deeper reflection, we saw Christa who taught her students to seek their passion, to be curious, to take risks - she died doing exactly what she taught. She was reaching for her star. That my friends is her legacy to us all. Set a life course based on sound tenets and live it well each day. Sharon Christa McAuliffe - perhaps her life can best be summed in the words placed on her graveside memorial and written by the person who knew her best, husband Steve. It reads: "Wife, Mother, Teacher. Pioneer Woman. Crew member, Space Shuttle Challenger. American's first ordinary citizen to venture toward space. She helped people. She laughed. She loved and is loved. She appreciated the world's natural beauty. She was curious and sought to learn who we are and what the universe is about. She relied on her own judgment and moral courage to do right. She cared about the suffering of her fellow man. She tried to protect our spaceship earth. She taught her children to do the same."

### REGULAR CALENDAR CONT'D

**HB 1562-FN-L**, allowing counties to establish heroin use prevention and treatment programs. **IN-EXPEDIENT TO LEGISLATE.**

Rep. Ken Peterson for Municipal and County Government. This legislation would allow counties to establish heroin use prevention and treatment programs. There is a recognized need for such programs but it isn't clear that they should be funded by the counties. As most of us are aware, there are several bills in the pipeline having to do with this subject as a result of the Joint Task Force on Heroin and Opioid Epidemic. This bill is likely premature pending the outcome of those Task Force bills and could result in a duplication of effort. Pending the results of the statewide effort on this drug problem, the committee felt this bill was not timely. Vote 12-4.

Rep. Cheney spoke against.

Rep. Peterson spoke in favor.

Rep. Abramson spoke against, yielded to questions and requested a roll call; not sufficiently seconded. On a standing division vote, with 283 members having voted in the affirmative and 43 in the negative, the committee report was adopted.

**REMOVED FROM THE CONSENT CALENDAR**

**HJR 3**, calling for the investigation and defunding of Planned Parenthood. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Committee members voted to ITL this resolution for a variety of different reasons. Concerns expressed by committee members were as follows. Some committee members were concerned about joining investigation and defunding in one resolution. If investigation turns up no wrongdoing, there would be no need for defunding. Some believe that a resolution calling for action by Congress is of little practical effect. Some believe the resolution unnecessary because Congress and the NH Attorney General have already conducted investigations or investigated complaints and the NH Attorney General determined no further investigation was necessary. Some believe that the allegations in the resolution are untrue and object to the tone. Not all committee members agree with all of these reasons, but all agreed that this resolution should not go forward. Vote 16-0.

**MOTION TO LAY ON THE TABLE**

Rep. Kotowski moved that **HJR 3**, calling for the investigation and defunding of Planned Parenthood, be laid on the table.

Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 112 NAYS 227**

**YEAS - 112****BELKNAP**

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Hurt, George
Spanos, Peter	Tilton, Franklin	Vadney, Herbert	Varney, Peter

**CARROLL**

Chandler, Gene	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Umberger, Karen		

**CHESHIRE**

Hunt, John	McConnell, James	Sterling, Franklin
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**COOS**

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Tholl, John
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**GRAFTON**

Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Ladd, Rick
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**HILLSBOROUGH**

Balcom, John	Barry, Richard	Belanger, James	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christie, Rick	Danielson, David	Flanagan, Jack	Gagne, Larry
Gould, Linda	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Kurk, Neal	LeBrun, Donald
Marston, Dick	McCarthy, Peggy	McClarren, Donald	Ober, Lynne
Ober, Russell	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Rouillard, Claire	Seidel, Carl	Straight, Phillip	Takesian, Charlene
Wolf, Terry	Zaricki, Nick		

**MERRIMACK**

Hess, David	Kotowski, Frank	Marple, Richard	McGuire, Carol
McGuire, Dan	Walsh, Thomas		

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Belanger, Ronald	Chirichiello, Brian	Christie, Andrew	Devine, James

Duarte, Joe  
Fesh, Robert  
Hagan, Joseph  
Katsakiores, Phyllis  
McKinney, Betsy  
Packard, Sherman  
Sytek, John  
Webb, James

Elliott, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Kolodziej, Walter  
McMahon, Charles  
Peckham, Michele  
True, Chris  
Welch, David

Emerick, J. Tracy  
Griffin, Mary  
Hoelzel, Kathleen  
Manning, John  
Milz, David  
Potucek, John  
Vose, Michael  
Weyler, Kenneth

Ferrante, Beverly  
Guthrie, Joseph  
Introne, Robert  
Matthews, Carolyn  
O'Connor, John  
Rice, Frederick  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Bickford, David  
Pitre, Joseph

Cheney, Catherine

Gray, James

Mullen, John

**SULLIVAN**

Laware, Thomas

Smith, Steven

**NAYS - 227****BELKNAP**

Aldrich, Glen

Gallagher, Brian

Howard, Jr., Raymond

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Wright, Ted

Buco, Thomas  
Crawford, Karel

Butler, Edward  
Parker, Harold

Comeau, Ed  
Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Froburg, Alethea  
Thomas, Yvonne

Moynihan, Wayne

Rideout, Leon

Theberge, Robert

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Hull, Robert  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Ford, Susan  
Ingbretson, Paul  
Nordgren, Sharon  
Townsend, Charles

Bailey, Brad  
Hennessey, Martha  
Johnson, Eric  
Piper, Wendy  
White, Andrew

Brown, Duane  
Higgins, Patricia  
Maes, Kevin  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Cohen, Alan  
Eastman, Eric  
Ferreira, Elizabeth  
Gidge, Kenneth  
Hansberry, Daniel  
Hogan, Edith  
Lachance, Joseph  
Manley, Jonathan  
Moore, Josh  
O'Brien, Michael  
Rosenwald, Cindy

Ammon, Keith  
Brown, Pamela  
Cornell, Patricia  
Edelblut, Frank  
Forest, Armand  
Goley, Jeffrey  
Harvey, Suzanne  
Hopper, Gary  
Leishman, Peter  
Martel, Andre  
Murotake, David  
Porter, Marjorie  
Sanborn, Laurie

Backus, Robert  
Christiansen, Lars  
Cote, David  
Edwards, Elizabeth  
Freitas, Mary  
Gorman, Mary  
Heath, Mary  
Jack, Martin  
Long, Patrick  
McLean, Mark  
Murphy, Keith  
Proulx, Mark  
Schleien, Eric

Baroody, Benjamin  
Coffey, James  
DiSilvestro, Linda  
Estevez, Eric  
Fromuth, Bart  
Guerette, C. Lee  
Herbert, Christopher  
Jeudy, Jean  
Mangipudi, Latha  
McNamara, Richard  
Notter, Jeanine  
Roberts, Carol  
Shattuck, Gilman

Shaw, Barbara  
Souza, Kathleen  
Vann, Ivy

Simmons, Tammy  
Sullivan, Victoria  
Walsh, Robert

Snow, Kendall  
Twombly, Timothy  
Williams, Kermit

Soucy, Timothy  
Ulery, Jordan  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Hill, Gregory  
Karrick, David  
Luneau, David  
Myler, Mel  
Rogers, Katherine  
Shurtleff, Stephen

Bradley, Paula  
Doherty, David  
French, Harold  
Hirsch, Geoffrey  
Kenison, Linda  
MacKay, James  
Parent, Jason  
Saunderson, George  
Turcotte, Alan

Brewster, Michael  
Ebel, Karen  
Gile, Mary  
Hoell, J.R.  
Kuch, Bill  
Martin, John  
Patten, Dick  
Schuett, Dianne  
Wallner, Mary Jane

Carson, Clyde  
Frazer, June  
Henle, Paul  
Horn, Werner  
Long, Douglas  
Moffett, Howard  
Ratzki, Mario  
Seaworth, Brian  
Wheeler, Deborah

### ROCKINGHAM

Abramson, Max  
Borden, David  
Cardon, G. Thomas  
DiFranco, Debbie  
Gannon, William  
Itse, Daniel  
McBeath, Rebecca  
Sherman, Thomas  
Thomas, Douglas

Baldasaro, Alfred  
Bush, Carol  
Cook, Allen  
Doucette, Fred  
Gordon, Pamela  
Kappler, Lawrence  
Osborne, Jason  
Simpson, Alexis  
Tilton, Rio

Bates, David  
Cahill, Michael  
Cushing, Robert  
Francesse, Paula  
Harris, Jeffrey  
Lovejoy, Patricia  
Pantelakos, Laura  
Sweeney, Joe  
Ward, Gerald

Berrien, Skip  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Friel, William  
Heffron, Frank  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle

### STRAFFORD

Baber, William  
Burton, Wayne  
Gardner, Janice  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale  
Verschuere, James  
Wuelper, Kurt

Beaudoin, Steven  
Cilley, Jacalyn  
Graham, Robert  
Kaczynski, Jr., Thomas  
Smith, Marjorie  
Stevens, Audrey  
Wall, Janet

Berube, Roger  
DeLemus, Susan  
Groen, Warren  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan  
Ward, Kenneth

Bixby, Peter  
DiSesa, Len  
Hannon, Joseph  
Leeman, Don  
Spang, Judith  
Turcotte, Leonard  
Whitehouse, Joshua

### SULLIVAN

Cloutier, John  
Grenier, James  
Schmidt, Andrew  
and the motion failed.

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

The question now being adoption of the committee report of Inexpedient to Legislate.  
Reps. Wuelper, Notter, Souza, Prudhomme-O'Brien and Groen spoke against.  
Rep. Weber spoke in favor and yielded to questions.  
Rep. Groen requested a roll call; sufficiently seconded.

**YEAS 227 NAYS 100**

### YEAS - 227

### BELKNAP

Fields, Dennis  
Varney, Peter

Flanders, Donald

Luther, Robert

Vadney, Herbert

### CARROLL

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Butler, Edward  
Parker, Harold

Chandler, Gene  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan



**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Hunt, John  
McConnell, James  
Robertson, Timothy  
Tilton, Benjamin

Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

**COOS**

Fothergill, John  
Theberge, Robert

Frobург, Alethea  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Ladd, Rick  
Piper, Wendy  
White, Andrew

Bailey, Brad  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Beaulieu, Jane  
Byron, Frank  
Cornell, Patricia  
Edwards, Elizabeth  
Gidge, Kenneth  
Haefner, Robert  
Heath, Mary  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Seidel, Carl  
Soucy, Timothy  
Wolf, Terry

Balcom, John  
Belanger, James  
Christensen, Chris  
Cote, David  
Estevez, Eric  
Goley, Jeffrey  
Halstead, Carolyn  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
O'Brien, Michael  
Proulx, Mark  
Shattuck, Gilman  
Takesian, Charlene  
Woodbury, David

Baroody, Benjamin  
Biggie, Barbara  
Christiansen, Lars  
Danielson, David  
Forest, Armand  
Gorman, Mary  
Hansen, Peter  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
Peterson, Ken  
Roberts, Carol  
Shaw, Barbara  
Walsh, Robert  
Zaricki, Nick

Barry, Richard  
Brown, Pamela  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Guerette, C. Lee  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Parent, Jason  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
Frazer, June  
Hess, David  
Kotowski, Frank  
Marple, Richard  
Patten, Dick  
Schuett, Dianne  
Walsh, Thomas

Carson, Clyde  
French, Barbara  
Hirsch, Geoffrey  
Long, Douglas  
Moffett, Howard  
Ratzki, Mario  
Shurtleff, Stephen  
Wheeler, Deborah

Doherty, David  
Gile, Mary  
Karrick, David  
Luneau, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Belanger, Ronald  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Elliott, Robert  
Friel, William  
Hagan, Joseph  
Kolodziej, Walter  
McMahon, Charles  
Peckham, Michele  
Sweeney, Joe  
Welch, David

Allen, Mary  
Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Emerick, J. Tracy  
Gordon, Pamela  
Heffron, Frank  
Lovejoy, Patricia  
Milz, David  
Potucek, John  
Sytek, John  
Weyler, Kenneth

Azarian, Gary  
Borden, David  
Chirichiello, Brian  
DiFranco, Debbie  
Ferrante, Beverly  
Griffin, Mary  
Hoelzel, Kathleen  
Matthews, Carolyn  
O'Connor, John  
Sherman, Thomas  
Ward, Gerald  
Woitkun, Steven

Barnes, Arthur  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Francesse, Paula  
Guthrie, Joseph  
Katsakiores, Phyllis  
McBeath, Rebecca  
Pantelakos, Laura  
Simpson, Alexis  
Webb, James

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

Bickford, David  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bixby, Peter  
Gray, James  
Mullen, John  
Spang, Judith  
Verschuieren, James

Burton, Wayne  
Hannon, Joseph  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

**NAYS - 100****BELKNAP**

Aldrich, Glen  
Hurt, George

Fraser, Valerie  
Spanos, Peter

Gallagher, Brian  
Sylvia, Michael

Howard, Jr., Raymond  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Nelson, Bill

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Brown, Duane

Hull, Robert

Ingbretson, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Christie, Rick  
Ferreira, Elizabeth  
Griffin, Barbara  
Marston, Dick  
Moore, Josh  
Pellegrino, Anthony  
Simmons, Tammy  
Twombly, Timothy

Ammon, Keith  
Coffey, James  
Fromuth, Bart  
Hogan, Edith  
Martel, Andre  
Murotake, David  
Rouillard, Claire  
Souza, Kathleen  
Ulery, Jordan

Boehm, Ralph  
Eastman, Eric  
Gagne, Larry  
Hopper, Gary  
McClarren, Donald  
Murphy, Keith  
Sanborn, Laurie  
Straight, Phillip

Burt, John  
Edelblut, Frank  
Gould, Linda  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Schleien, Eric  
Sullivan, Victoria

**MERRIMACK**

French, Harold  
Kuch, Bill  
Seaworth, Brian

Hill, Gregory  
Martin, John

Hoell, J.R.  
McGuire, Carol

Horn, Werner  
McGuire, Dan

**ROCKINGHAM**

Baldasaro, Alfred  
Duarte, Joe  
Harris, Jeffrey  
Kappler, Lawrence  
Packard, Sherman  
Thomas, Douglas  
Ward, Joanne

Bates, David  
Fesh, Robert  
Hodgdon, Bruce  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Tilton, Rio

Bush, Carol  
Gannon, William  
Introne, Robert  
Manning, John  
Rice, Frederick  
True, Chris

Cook, Allen  
Gordon, Richard  
Itse, Daniel  
Osborne, Jason  
Tasker, Kyle  
Vose, Michael

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Pitre, Joseph

Berube, Roger  
Groen, Warren  
Turcotte, Leonard

Cheney, Catherine  
Kaczynski, Jr., Thomas  
Whitehouse, Joshua

DeLemus, Susan  
Leeman, Don  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas  
and the committee report was adopted.

**SPECIAL ORDERED**

Without objection, the Speaker made the remaining bills on today's calendar Special Orders in their Regular Calendar order for the Session of February 4, 2016.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, February 4, 2016 at 1:00 p.m.

**LATE SESSION****Third Reading and Final Passage**

**HB 1193**, relative to the wellness and primary prevention council.

**HB 1477**, relative to the grace period for motor vehicle inspections.

**HB 1438-FN-L**, relative to the registration of antique trailers.

**RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 12:05 p.m.

**RECESS**

**(Rep. Packard in the Chair)**

**RESOLUTION**

Rep. Tholl offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bill numbered 2016 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.  
Motion adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading and referral**

**HB 2016**, relative to the state 10-year transportation improvement program. (Chandler, Carr. 1; Public Works and Highways)

**RECESS**

**(Speaker Jasper in the Chair)**

**RESOLUTION**

Rep. Packard offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 4, 25, 66, 193, 237, 257, 300, 343, 359, 364, 390, 405, 409, 411, 429 and 438 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.  
Motion adopted.

**INTRODUCTION OF SENATE BILLS****First, second reading and referral**

**SB 4**, relative to eligibility to vote and relative to availability of voter information. (Election Law)

**SB 25**, relative to the administration of epinephrine. (Education)

**SB 66**, relative to the naming of areas of the state house complex. (Legislative Administration)

**SB 193-FN-L**, establishing a committee to study the duties of the attorney general and the county attorneys. (Judiciary)

**SB 237-FN**, establishing a reporting requirement for gubernatorial inauguration contributions. (Executive Departments and Administration)

**SB 257-FN**, relative to membership in the judicial retirement plan of judges appointed at age 63 or older. (Judiciary)

**SB 300**, revising banking, credit union, and trust laws. (Commerce and Consumer Affairs)

**SB 343**, establishing a commission to study apportionment of gross business profits under the business profits tax. (Ways and Means)

**SB 359**, relative to funding electric vehicle charging stations with municipal registration permits. (Transportation)

**SB 364**, establishing a committee to study the feasibility of incorporating complete streets into the 10-year transportation improvement plan. (Public Works and Highways)

**SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. (Executive Departments and Administration)

**SB 405**, making changes to the limited liability companies statutes. (Commerce and Consumer Affairs)

**SB 409-FN**, relative to the first responder's critical injury benefit. (Labor, Industrial and Rehabilitative Services)

**SB 411**, relative to the merger of lots that are mortgaged. (Commerce and Consumer Affairs)

**SB 429**, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act." (Labor, Industrial and Rehabilitative Services)

**SB 438**, relative to the aesthetic maintenance of highway intersections. (Public Works and Highways)

## RECESS

**(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.

## **HOUSE JOURNAL NO. 5**

**Thursday, February 4, 2016**

The House assembled at 1:00 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Dr. Peter Chamberland, Pastor of Granite State Baptist Church in Concord.

Representative Mangipudi, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Mr. Leonard Bell, U.S. Navy retired.

### **LEAVES OF ABSENCE**

Reps. Bartlett, Beaudoin, Chris Brown, Comtois, Duarte, June Frazer, Gargasz, Hodgdon, Kellogg, Kenison, Knowles, Ley, Patrick Long, Lundgren, Priestley, Sanders, Robert Walsh and Wheeler, the day, illness.

Reps. Bailey, Baroody, Beaulieu, Duane Brown, Rebecca Brown, Bush, Chris Christiansen, Coffey, Crawford, DiSilvestro, Doucette, Froburg, Gardner, Gile, Goulette, Martha Hennessey, Hess, Hull, Hurt, Jones, Major, Milz, Nordgren, Oligny, Parison, Parker, Peckham, Piper, Pitre, Schleien, Sherman, Stepanek, Sylvia, Sytek, Tamburello, Franklin Tilton, Tucker, White, Whitehouse and Woitkun, the day, important business.

Reps. Nelson, Chip Rice, Carol Roberts and Vann, the day, illness in the family.

Rep. Soucy, the day, death in the family.

### **INTRODUCTION OF GUESTS**

Joseph Bell, student at Bishop Brady High School and Samuel Alicea, student at Merrimack Valley High School and grandson of Rep. Alicea, Pages for the day.

Students from the University of Southern Florida, guests of Rep. Cordelli. Jodi Hoyt, guest of Rep. Irwin. Evan Oxenham, husband of Rep. Oxenham. Cheryl Ann Turcotte, wife of Rep. Alan Turcotte. Stephanie Alicea, daughter of Rep. Alicea. Candice Benson, guest of Rep. Sanborn.

### **RESOLUTION**

Reps. Hinch and Shurtleff offered the following: **RESOLVED**, that the House of Representatives notify the Honorable Senate that it is ready to meet in Joint Convention for the purpose of hearing the State of the State Address by her Excellency, Governor Margaret Wood Hassan.  
Motion adopted.

The House recessed at 1:10 p.m.

### **RECESS**

The House reconvened at 1:15 p.m.

**(Speaker Jasper in the Chair)**

### **SENATE MESSAGE**

The Senate is ready to meet with the House of Representatives in Joint Convention for the purpose of hearing the State of the State Address by her Excellency, Governor Margaret Wood Hassan.

The Clerk introduced and the Sergeant-at-Arms escorted the Honorable Senate and Senate President, Chuck Morse.

### **JOINT CONVENTION**

**(Speaker Jasper presiding)**

### **INTRODUCTION OF SPECIAL GUESTS**

The Clerk introduced and the Sergeant-at-Arms escorted the following: Deputy Administrative Judge of the Circuit Courts, David D. King. Administrative Judge of the Circuit Court, Edwin W.

Kelly. Chief Justice of the Superior Court, Tina Nadeau. Associate Justice of the Supreme Court, Robert J. Lynn. Associate Justice of the Supreme Court, Carol Ann Conboy. Senior Associate Justice of the Supreme Court, Gary E. Hicks. Chief Justice of the Supreme Court, Linda Stewart Dalianis. State Treasurer, William F. Dwyer. Executive Councilor, Joseph D. Kenney, Executive Councilor, Colin Van Ostern. Executive Councilor, Christopher R. Sununu. Executive Councilor, Christopher C. Pappas.

The Clerk introduced and the Sergeant-at-Arms escorted Governor Margaret Wood Hassan, Ben and Thomas Hassan.

Governor Hassan presented her State of the State Address to the Joint Convention.

### STATE OF THE STATE ADDRESS

Mr. Speaker, Mr. Senate President, Madam Chief Justice, Honorable members of the House, Senate and Executive Council, my fellow citizens: I am honored to stand before you today to discuss our work together to set the foundation for a new generation of economic growth that will help build a stronger, more innovative New Hampshire. I'd like to take a moment to recognize our extraordinary First Gentleman, my husband Tom. Tom and I are blessed with a strong and loving family – here today with us our son Ben, my mother Peggy, sister Franny and our family of the heart, Joyce and Liz. Our daughter Meg couldn't join us today, but I owe thanks to all of my family for their steadfast support and love. This week, as our country's focus turns toward New Hampshire and our First In The Nation primary, Americans will see that the state of our state is strong – and getting stronger. By partnering together over the past three years, and bringing the traditions of hard work, collaboration and bipartisan problem-solving back to Concord, we have come a long way since the depths of the recession. Our unemployment rate continues to fall and is now 3.1 percent, which is the fourth-lowest in the country and the lowest level in nearly 15 years. And for the third year in a row, New Hampshire was ranked as the strongest state in the Union based on more than a dozen measures of our economy, the safety of our communities, and our quality of life. Our greatest strength is – and always has been – the citizens of New Hampshire. We combine a sense of community and independence unlike anywhere else, and it's that "all-hands-on-deck" spirit that keeps our state moving forward. That spirit shines through in the brave men and women of the New Hampshire National Guard, who respond to emergencies and disasters while protecting our nation, both at home and abroad. We can also see that spirit in all of our active duty servicemen and women, and our veterans, who have served bravely in defense of our freedom. Today – and every day – we thank all of our service members, veterans and their families whose selfless sacrifices make the American Dream possible. Thank you as well to all of our dedicated law enforcement officers, fire fighters and other first responders for all that you do to keep our communities safe. Every single day, Granite Staters roll up their sleeves and work together to solve problems and improve our communities, setting a strong example for us here in Concord. And following that lead, we continue to prove that we can bridge the political divide and accomplish great things together. That started with enacting two fiscally responsible, bipartisan budgets – while holding the line against a sales or an income tax. We came together and lowered taxes for small businesses, while protecting our ability to invest in critical economic priorities now and into the future. Priorities like encouraging innovation, making college more affordable for all of our people, ensuring that hard-working Granite Staters have access to quality, affordable health care, combating the heroin and opioid crisis, and fixing our roads and bridges. We put our state's financial house in order, working across party lines to end expensive lawsuits that threatened our long-term financial outlook and our bond rating. Thanks to a strong economy and careful management of our state budget, we finished Fiscal Year 2015 with a 62 million dollar surplus – doubling our Rainy Day Fund to its highest level since Fiscal Year 2009. This would not have been possible without our dedicated public servants, who continue to do more with less. Thank you to our commissioners, and to all of our hard-working state employees, for your service to the people of New Hampshire. We have made real bipartisan progress to set the foundation for a new generation of innovative economic growth. But our work to keep New Hampshire moving forward must never cease. While our state's economy remains ahead of the curve, the American economy has fundamentally changed. It is critical that we equip our people to adapt to this changing economy so that we can build a future where everyone has

the opportunity to get ahead and stay ahead. A future where New Hampshire's innovative companies can create more high-quality, 21st century jobs that will support a thriving middle class. And a future where our vibrant communities remain destinations for families, visitors and young people. We know that our people, our families and our businesses cannot grow and thrive without safe communities. And that is why the first and foremost responsibility of government is keeping our citizens safe. Thanks to our remarkable public safety officials, we are one of the safest states in the nation. But we all know that the heroin and opioid crisis remains the most pressing public health and public safety issue facing our state. Last year alone, more than 400 Granite Staters died from a drug overdose, with the majority of those deaths caused by fentanyl, heroin or another opioid. And thousands more overdosed, their lives saved only by the quick action of first responders, medical providers or family and friends. Drug overdoses are now the second-most common cause of death in New Hampshire. Today, more Granite Staters are killed by overdoses than by diabetes, breast cancer or motor vehicle accidents. We all recognize the serious threat that substance abuse poses to our people and to our high quality of life, and we have been working together to strengthen our efforts to combat this crisis. I applaud the Joint Legislative Task Force on the Heroin and Opioid Epidemic for its hard work. And I commend members of both parties for quickly acting last month to send bipartisan legislation to my desk. Thanks to that swift action, we are cracking down on fentanyl, streamlining access to treatment and strengthening our prescription drug monitoring program. But we know that this fight is far from over. We must be constant and focused in our work to strengthen these efforts, and to give patients, providers, families, educators and law enforcement better tools to combat this horrible epidemic. Combating the scourge of addiction requires us at times to change the way we have always done things, at a quicker pace than is sometimes comfortable. And it also requires additional resources and dollars. While some may say that we can't afford to take steps that require additional funding, I believe that we can't afford not to. Our economy continues to strengthen, and revenues are already more than 40 million dollars above projections this fiscal year. We can afford to address this challenge – and we must. There remains broad, bipartisan consensus around many of the other items that I proposed in November. And I thank the Senate for passing many of these measures this morning. That includes providing additional support to law enforcement in our hardest-hit communities. We have allocated funding for the State Police to assist the Manchester Police Department's "Operation Granite Hammer" in seizing illicit drugs and arresting street-level dealers. With Chief Willard's leadership, Manchester has seen great success with this initiative – and we remain profoundly grateful for law enforcement's leadership and dedication. But Manchester is not alone in facing these challenges. We need to expand this effort to support local law enforcement across the entire state. While we must continue supporting law enforcement on the front lines, every police chief I have spoken with makes it clear that we can't arrest our way out of this problem. Strengthening our prevention, treatment and recovery efforts and removing the stigma of addiction remain critical parts of a comprehensive approach. To help prevent addiction in the first place, we are working with local school districts to help our young people understand the dangers of substance abuse. Both chambers have passed legislation to build on those efforts, and we will continue working to strengthen youth prevention programs. We also know that this epidemic stems in part from the overuse, misuse and abuse of addictive prescription opioids, so we are working to improve provider training and prevent the overprescribing of opioids. We have started a series of nationally recognized provider trainings, and in the last several months, the boards of medicine, nursing and dental examiners have set a strong example by adopting emergency rules on the prescribing of opioids. Now, we must build on this example by requiring the boards governing all prescribers to adopt updated, permanent rules, this year. We must also ensure that providers have the tools they need to turn these trainings and rules into action. That includes upgrading technology to strengthen our prescription drug monitoring program and to ensure that more prescribers can use it in a timely fashion. And while our work to increase the safe and effective use of Narcan has saved lives, Narcan is not a cure. Addiction is a disease, and we must ensure that those afflicted with addiction can access services to treat this illness, just as we would for any other chronic condition. That means strengthening support for the Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery and empowering first responders to connect those who they treat for an overdose with ongoing support from counselors. Across the state, those in recovery and families who have lost loved

ones have shared their stories, inspiring us with their bravery and making a profound difference in the lives of countless others battling addiction. To support them, we must ensure that New Hampshire citizens have access to immediate treatment and a robust, long-term recovery system. There is also broad consensus that we should expand existing drug courts and establish new drug courts across the state to help prevent people from slipping back into addiction and crime. But drug courts can only work if they are backed by increased treatment capacity. While we have revised licensing requirements to make it easier for providers to open treatment facilities, New Hampshire has for too long lagged behind other states for treatment capacity. That is one of the many reasons why we must reauthorize the bipartisan New Hampshire Health Protection Program without delay. Already, thousands of Granite Staters have accessed substance abuse and behavioral health services through our bipartisan expansion plan. And experts have said that re-authorizing expansion is essential to increasing treatment capacity in New Hampshire. We also know that reauthorizing expansion is critical to the health and well-being of all of our citizens, our businesses, and our economy. Just ask Damber, from Manchester, whose lack of insurance almost kept her from completing her nursing program at Plymouth State. Thanks to expansion, she received coverage and was able to continue pursuing her dream of becoming a nurse. Or ask Deborah and her husband Damon, from Conway, who own a small snow and tree removal business. They could not afford insurance for the 17 years before the New Hampshire Health Protection Program began. Thanks to coverage under expansion, Deborah received her first physical in nearly 20 years, and a doctor found and treated a number of health issues that would have increasingly threatened her ability to work. And Damon now has the peace of mind that comes with health insurance as he confronts the physically demanding tasks that come with their business. Thousands of our friends and neighbors have similar stories. More than 46,000 hard-working Granite Staters now have the health and financial security that comes with quality, affordable health coverage thanks to our bipartisan expansion plan. Since expansion began, hospitals have seen a significant decline in inpatient, outpatient and emergency room visits by uninsured Granite Staters. That means our hospitals now provide less uncompensated care, reducing the shifting of healthcare costs onto all of our people and businesses. The state has also seen an increase in revenues from the insurance premium tax, and we are beginning to see cost-savings elsewhere thanks to preventive and primary care and other benefits covered by expansion. Combined, these measures are expected to save taxpayers a total of 29 million dollars in avoided costs over the next biennium. With the expansion population now on private insurance through our premium assistance program, we are helping retain competition in our insurance marketplace, competition that will strengthen options and affordability for all Granite Staters. It's clear that the New Hampshire Health Protection Program is making a real difference for our people and boosting our economy, and we must re-authorize it now. As we continue our work to keep our communities healthy and to combat the heroin and opioid crisis facing our state, we must also confront other threats to the safety and well-being of our people. From the evolving and unique threats posed by the likes of ISIS and other terrorist organizations, to the increasing acts of gun violence and mass shootings across the country, we must continue to be vigilant in our efforts to keep our communities safe and secure. This includes our ongoing work to expand our Information and Analysis Center, enhance safety plans at our public schools, institute active shooter trainings for police departments across the state, and strengthen cyber security. And it has never been more important than it is now for New Hampshire to continue our strong practice of unified training and community policing. The Police Standards and Training Council helps prepare our dedicated officers for the challenges and dangers that they face every day. And right now, the council is facing a funding crisis. We cannot let down our dedicated and brave law enforcement officers or the people they protect. We must maintain our commitment to public safety and pass legislation that adequately funds police training. It is also our responsibility to ensure a safe environment for children, and in the rare instances where their families harm them, we must protect them. In preparation for an independent, expert review of New Hampshire's child protective services at the Division of Children Youth and Families, the Department of Justice is partnering with DCYF to provide training so that case workers can better identify potential crimes when evaluating cases of abuse and neglect. In addition, the Legislative Commission to Review Child Abuse Fatalities has recommended legislation to strengthen child abuse investigations – legislation that I stand ready to sign. Our safe and healthy communities are the



foundation of our state, and one of the reasons that New Hampshire is such a great place to live and to raise a family. And to maintain our high quality of life, we must continue working to advance other critical priorities that support economic growth and help innovative businesses create jobs - the kind of jobs that will strengthen and grow our middle class. We need to ensure that our workforce has a deep pool of highly skilled workers to meet the needs of our innovative businesses. We need a solid, modern transportation infrastructure and a more affordable energy future in order for our economy to thrive. And our small, nimble state government must remain responsive to the needs of the business community to support economic development. When I visit businesses across the state, they continue to tell me that a strong, highly educated workforce remains their number-one need. A strong workforce begins with a strong education at all levels - from early childhood, to our K-12 system, to higher education. A high school degree is rarely enough for jobs in the changing economy, and our people need access to affordable higher education in order to climb the ladder of opportunity. We have made important progress to hold down the cost of higher education. We froze in-state tuition at our university system for the first time in 25 years. And we lowered tuition at our community colleges. A new partnership is bringing state and local government together with the education community and other stakeholders to work toward a new 65 by 25 goal - ensuring that 65 percent of New Hampshire's population holds a postsecondary credential or degree by 2025. That goal is achievable - but only if everyone in this room continues working together to make higher education more attainable for all Granite Staters. We must also continue working to prepare our students at the K-12 level for higher education and the challenges of the changing economy. That is why together, we increased math requirements for our students and building on the efforts of our STEM Task Force, we are developing stronger science standards for our K-12 public schools, developing new options for math classes and integrating coding into our curriculum for a 21st-century education. Across the country, New Hampshire is recognized as a leader in competency-based education. Through our PACE pilot program, seven school districts and one charter school are now reducing the level of standardized testing in favor of more locally managed assessments that are integrated into the student's day-to-day work - a model that is expanding nationally based on our success. But in order to ensure that our schools can continue to be innovators in public education, we must meet our financial commitment to all of our students by fully funding adequacy this year. It's also critical that we continue to focus on early childhood education, which is a fundamental aspect of long-term success. Spark New Hampshire has outlined a framework to ensure that our state's children have the opportunity that they deserve to live healthy lives, receive a high-quality education, and experience economic stability at home. And to build on those efforts, we must also continue working to make full-day kindergarten a reality statewide. But as we educate our young people and build the highly skilled workforce of the future, innovative businesses looking to grow here in New Hampshire need more workers now. We have an opportunity to better use the talent of our own people right here in New Hampshire, helping our businesses thrive while closing the opportunity gap for New Hampshire's children and families. We are proud that New Hampshire's child poverty rate is among the lowest in the nation, but no child should live in poverty. And the best indicator of the long-term success of a child is the success of his or her parents. Children whose parents are able to work their way into the middle class are themselves more likely to stay in the middle class. The successful New Hampshire Working program is helping people stay at work, return to work and get ready to work. And today I am announcing a new plan - Gateway to Work - that complements New Hampshire Working to help develop and expand our workforce as our economy continues to strengthen, while at the same time closing the opportunity gap for our families. As with New Hampshire Working, Gateway to Work repurposes existing federal funds to help Granite Staters succeed in the workforce. With this new initiative, we have the opportunity to help those on the New Hampshire Health Protection Program or other state programs move into jobs that pay sustainable wages - lessening their need for public assistance. Through Gateway to Work, we will strengthen job training, create new apprenticeship opportunities, help remove the barriers that cause too many of our citizens to fail in the workplace, and help our young people get a leg up on their futures. First, we know that many good-paying jobs at innovative employers like Dartmouth-Hitchcock, Albany/Safran and Dyn require more than a high school education. So we will establish a partnership between the community college system and the business community to create apprenticeship programs in

high-need areas such as advanced manufacturing, information technology networking, and health care. These are solid, good-paying career pathways that will help expand our middle class. Second, while businesses need workers, they are often reluctant to risk the investment of time and money that comes from hiring someone who may require additional training or who lacks reliable access to child care and transportation. We will help overcome such obstacles for workers and businesses by providing employers with job-training grants and salary support for eligible workers for six weeks. This will help ensure that workers can get a fair shot at a new career, while providing businesses with the workforce that they need to grow and thrive. Third, we also know that there are individuals who face significant barriers to joining the workforce. Goodwill of Northern New England and Families in Transition have begun a pilot project in Manchester to help individuals served by the Temporary Assistance to Needy Families program overcome barriers and enter the workforce. We will partner with these non-profits and other organizations willing to address this challenge through efforts such as increasing case management, eliminating child care co-pays for TANF clients and expanding in-home visitation to work with more at-risk parents. Each of these steps will help these individuals enter and stay in the workforce. Finally, because work experience as a young person can help ensure success in school and in the workforce later in life, we will strengthen our efforts to prepare at-risk youth for the workplace. We will expand after-school and summer youth employment programs for young people, including apprenticeships and on-the-job training. And we will create a pilot program that will allow counselors to work with at-risk middle schoolers to develop education and career plans. Through Gateway to Work, we can provide more of the workers our businesses need to thrive. And we can help give more of our families the opportunity to work their way to self-sufficiency and into the middle class. This effort will also help address the healthcare workforce shortage in fields from direct care workers to pediatric nurses to psychologists. But we must do more. In our bipartisan budget, we provided resources to the Department of Health and Human Services to examine healthcare workforce shortage issues. And I will be appointing a Task Force to work with the department on that effort and to bring forward creative solutions. From those who experience disabilities to New Hampshire's seniors, addressing this shortage will allow more Granite Staters to stay at home and live independently. But to help ensure that all of our workers are able to succeed and fully support their families, we must finally restore and increase the minimum wage in New Hampshire. As we invest in giving families the opportunity to work their way to a better future, we know that the success of both our established businesses and new start-ups also depends on our efforts to continue strengthening our transportation infrastructure. Innovative public-private partnerships like Pettengill Road in Londonderry are attracting job-creating businesses to the Granite State, and the Ten-Year Transportation Plan is the next step in our work to strengthen our infrastructure. I have put forward a ten-year plan that advances critical transportation goals while maintaining fiscal responsibility and living within our projected revenues. It is a plan to preserve and fix our bridges. A plan to preserve good roads now in order to avoid more expensive projects later. A plan that begins the first phase of widening the portion of Route 106 critical for access to the New Hampshire Motor Speedway, and a plan that completes the expansion of Interstate 93. It advances and accelerates the Exit 4A project in Londonderry and Derry, which represents one of the most promising economic development opportunities in the state. And it leverages federal funds for the environmental and engineering work necessary to move forward with commuter rail from Boston to Nashua and Manchester. Each of these critical transportation projects will help set the foundation for long-term economic growth, and we must pass a Ten-Year Plan that supports these important priorities. As we work to strengthen our transportation infrastructure, we also recognize that high energy costs remain a burden on people and businesses across our region. We must strengthen our energy infrastructure and diversify our energy resources to reduce costs for our families and businesses, to create jobs, and to reach a more reliable clean-energy future. As large-scale energy projects are considered, we must work to ensure that any proposed project will deliver real benefits to our ratepayers, while incorporating local viewpoints and protecting our communities and our natural resources. And we must continue to be a leader in promoting clean air and combating climate change, which threatens our economic future and the health of our citizens. Throughout our efforts, we must never take our eyes off the imperative of building a cleaner and more sustainable energy future. Thanks to initiatives like RGGI, our Renewable Portfolio Standard and our long-term energy strategy, our

growing clean energy sector recently ranked New Hampshire as one of the top five states for renewable energy. In recent years, New Hampshire's families and businesses have invested millions of dollars in our local economy by installing solar arrays and other renewable generation facilities, decreasing the need for new transmission projects in the future. This makes our families and businesses, and our entire state, more energy independent. It also benefits our local economy. A New Hampshire Cleantech Council report estimated that fifteen to twenty thousand New Hampshire workers are now employed by the clean tech industry, at wages significantly higher than the state's average annual wage. Because of our clean energy sector's success, we are now at the statutory limit on net metering, which is a critical tool for individuals and businesses to be compensated for the energy they provide to the electric grid and to other customers. We must continue our clean energy progress, and I support the efforts from members of both parties to lift the cap on net metering. Supporting our emerging clean energy sector is critical to protecting the natural beauty that makes New Hampshire a special place to live, work, visit and raise a family. But we must also step up efforts to ensure clean water for future generations. As we prepare for the final decision in the MtBE case, we must have a plan ready for the funds if the previous decisions stand. That is why we should create a trust fund to ensure that these dollars are used for their intended purpose – removing MtBE contamination and ensuring that all Granite Staters have access to clean drinking water now and into the future. We know that transportation, affordable energy, and clean air and water are critical to a thriving economy, but we also know that there is more we must do to support our job-creating businesses. We have worked to support economic development opportunities in every corner of our state. That includes working across party lines to help move forward the redevelopment of the Balsams in the North Country – a bold vision that has the potential to revitalize the North Country's economy and have a ripple effect across the entire state. This process involved relevant state agencies and the legislature acting quickly, showing just how nimble our small state government can be. Such responsiveness is a leading economic advantage for our state. New Hampshire was also ranked as the fifth-best state for entrepreneurship, and we must continue to build on this progress. Through Live Free and Start, we are bringing together business leaders and entrepreneurs to make it easier for innovative companies to start up and grow. We have worked to modernize our securities regulations, ease the process for registering a business, and connect our start-up community with angel investors in order to increase access to capital. And Live Free and Start will continue working to help innovation-based businesses start, connect and succeed in New Hampshire. Each of these individual efforts – from combating the heroin and opioid crisis and reauthorizing the New Hampshire Health Protection Program, to workforce development and supporting innovative businesses, to reducing energy costs and protecting our environment – are fundamental to our shared economic success. We've come a long way from the depths of the recession – working together to address the priorities that are critical to supporting our vibrant communities, encouraging a thriving economy with a strong middle class, and maintaining the high quality of life that we are known for in New Hampshire. But our work to advance these priorities must continue if we are to help our citizens adapt to the changing economy and build a stronger, more innovative New Hampshire. A New Hampshire where all of our people and businesses have a fair shot to get ahead and stay ahead. These are the priorities that I have fought for since becoming Governor, and these are the priorities I will continue working on with Republicans, Democrats and Independents now and into the future. This week – more than ever – the eyes of our nation are upon New Hampshire. As the spotlight turns toward our state, Americans will see the vibrant and robust citizen-led democracy that makes New Hampshire the perfect place to host the nation's first presidential primary. They will also see a place where we make government work for our people and our businesses. A place where we embrace individualism and community like nowhere else. A place where we overcome our political differences, move past the inevitable arguments, and come together to make progress for our people, our communities and our economy. And a place where we are facing the challenges of a changing economy head on, keeping our communities safe and secure, and working together to help our families and businesses adapt and thrive. I look forward to continuing that important work with all of you. Thank you.

Rep. Hinch and Sen. Bradley moved that the Joint Convention arise.

Motion adopted.

The Joint Convention adjourned.

**HOUSE SESSION****(Speaker Jasper in the Chair)****CONSENT CALENDAR**

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 1389**, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting, removed by Rep. Spillane.

**HB 1621-FN-L**, relative to sanctuary cities, removed by Rep. Baldasaro.

**HB 1295-FN**, eliminating the bureau of certificate of title, removed by Rep. Marple.  
Consent Calendar adopted.

**HB 1620-FN-A**, relative to forensic child abuse evaluations and making an appropriation for the training of forensic child abuse specialists. **INEXPEDIENT TO LEGISLATE.**

Rep. Kimberly Rice for Children and Family Law. The committee concluded the bill's concept needs to be worked on because it does not meet the needs as described in this bill. Vote 11-0.

**HB 1651**, establishing a commission to study the collection of child abuse data. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Martha Hennessey for Children and Family Law. This bill as amended directs the current commission to review child abuse fatalities to identify all potential sources of child abuse and neglect data and recommend a comprehensive system for coordinated reporting to a central source. Vote 12-0.

**Amendment (0097h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of the commission to review child abuse fatalities.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Duties of the Commission to Review Child Abuse Fatalities; Identification of Sources of Child Abuse Data. Amend RSA 169-C:39-k, III by inserting after subparagraph (d) the following new subparagraph:

(e) Identify all potential sources of child abuse and neglect data and recommend a comprehensive system for coordinated reporting to a central source. The commission shall solicit information and testimony from individuals and entities with experience and expertise relevant to the study, including the division of public health services, the department of safety, the Crimes Against Children Research Center at the university of New Hampshire, the Granite State Children's Alliance, the New Hampshire Association of Chiefs of Police, the New Hampshire Hospital Association, and a circuit court judge of the family division.

2 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill directs the commission to review child abuse fatalities to identify all potential sources of child abuse and neglect data and recommend a comprehensive system for coordinated reporting to a central source.

**HB 1168**, relative to decrees pro confesso in title dispute actions. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. In essence, this bill seeks to avoid default judgment in title dispute actions once a respondent has filed an answer. Defaults under the present practice may be entered by the court for various reasons. Presumably, this bill would remove the judge's discretion to manage litigation in an orderly manner. Secondly, this bill calls for a noticed hearing or assessment of damages, but such damages are not assessed in title disputes, the subject of this bill. Vote 17-0.

**HB 1107**, changing the name of Sargent's Purchase to Marilla Ricker. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for Municipal and County Government. Marilla Ricker was a person who has contributed to the state and such contributions deserve recognition. An extensive amount of information on her history was demonstrated to the committee. However, changing the name of Sargent's Purchase which was also named from NH historical events seemed inappropriate. Suggestions such as naming un-named areas or erecting a monument to Marilla's recognition were mentioned but

the committee saw no support in re-naming an already named unincorporated area even if there were not recorded residents. The costs of changing maps and other material and the realization that Mount Washington would no longer be in Sargent's Purchase and would now be in Marilla Ricker township was discounted by the committee. Vote 12-0.

**HB 1123**, relative to a property tax exemption for certain stand-by generators. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill proposes to allow cities and towns to grant a property tax exemption for residential standby generators to all persons over age 65 or with a "medical necessity." Determination of the medical necessity was problematic with no reference to either a VA or Social Security defined disability. Existing statutes already address the aged population with local exemptions and the committee felt these statutes more than covered anything presented in this bill. The committee also heard that some towns do not bother to assess these units. Vote 15-0.

**HB 1230**, relative to information on dog licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Municipal and County Government. The purpose of this bill is admirable and the mandate is minimal. At the time of issuing a dog license, the issuing authority would be required to ask the owner if there should be a second contact name added to the license. This would facilitate a second contact person in the event the original could not be contacted or, in emergencies, if the original person was unable to care for the dog. It would simply direct the licensing authority to add the name of that contact person with contact information. The possibility that this would require a change to the form used for licensing was considered but the sponsor felt that simply adding the information to the bottom of the form would be sufficient. However, the committee felt it inevitable that the license form would require a change and any software recording licensing would be affected and require a change. There appears to be no impediment to adding a note on the license form to indicate a second contact person but mandating it would likely impose a financial burden. Vote 13-0.

**HB 1243-FN-L**, relative to storm water or sewage penalties. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ken Peterson for Municipal and County Government. The main purpose of this bill was to reduce the maximum penalty for violations pertaining to sewage and storm water ordinances. The current maximum fine of \$10,000 per day was felt to be excessive and the sponsors wished to modify this to a maximum amount of \$1,000 per day. After hearing testimony that these fines are not automatically enacted and only become an issue when the violator either refuses to respond to notices of violations or refuses to take remedial action, the proposed maximum amount was deemed to be too minimal to serve as a deterrent. The committee felt that the original amount should remain since the existing statute states that the penalty is "not to exceed \$10,000 per day of violation" and the municipality already has the ability to set \$1,000 as the maximum penalty. However, other wording in the statute was deemed in need of some attention and the committee opted to amend the current statute in other areas. The committee felt that communities with relatively few and/or smaller violations would enact smaller maximum fines than those communities that might have to enact larger fines for larger and/or recurring major violations. Language was added to allow ordinances or bylaws to include a schedule of penalties for violations up to the current maximum allowed. Vote 14-1.

**Amendment (0112h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Sewers; Bylaws and Ordinances. Amend RSA 149-I:6 by inserting after paragraph I-a the following new paragraph:

I-b. Any ordinances or bylaws adopted pursuant to this section may include a schedule of penalties for violations of the requirements adopted to ensure the proper maintenance and operation of the sewage system, stormwater system, or stormwater utility, as applicable. Any penalty so established shall constitute the civil penalty under paragraph II and shall be enforceable in the same manner. Any such penalty may be in any amount up to the maximum stated in paragraph II.

2 Sewers; Bylaws and Ordinances. Amend RSA 149-I:6, II to read as follows:

II. Any person who violates any ordinance or bylaw adopted pursuant to paragraph I *or I-a* of this section shall be subject to a civil penalty not to exceed \$10,000 per day of such violation. *Each day a violation continues shall be a separate offense. In addition, the municipality may petition the court for any appropriate action to prevent, enjoin, abate, or remove the violation.*

3 New Paragraphs; Sewers; Bylaws and Ordinances. Amend RSA 149-I:6 by inserting after paragraph III the following new paragraphs:

IV. In any action brought by a municipality for injunctive relief or recovery of civil penalties under paragraph II in which the municipality prevails, the court shall award to the municipality its costs and reasonable attorney fees actually expended in pursuing the action, to be paid by the violator. For the purposes of this paragraph, recoverable costs shall include all out-of-pocket expenses actually incurred, including but not limited to inspection fees, expert fees, and investigatory expenses.

V. If any violation of a local ordinance or bylaw under paragraph I or I-a results in the expenditure of public funds by a municipality which are not reimbursed under paragraph IV, the court in its discretion may order, as an additional civil penalty, that a violator make restitution to the municipality for the funds expended.

VI. The superior court may, upon a petition filed by a municipality and after notice and a preliminary hearing as in the case of prejudgment attachments under RSA 511-A, require an alleged violator to post a bond with the court to secure payment of any penalty or remedy or the performance of any injunctive relief which may be ordered or both. At the hearing, the burden shall be on the municipality to show that it is likely to prevail on the merits, that the penalties or remedies sought are likely to be awarded by the court in an amount consistent with the bond sought, and that the bond represents the amount of the projected expense of compliance with the injunctive relief sought.

VII. The municipality may commence an action for civil penalties under paragraph II either in the district court pursuant to RSA 502-A:11-a, or in the superior court.

4 Effective Date. This act shall take effect January 1, 2017.

Referred to the Committee on Judiciary.

**HB 1375**, relative to charter commissions for budgets in official ballot jurisdictions. **OUGHT TO PASS.** Rep. Keith Ammon for Municipal and County Government. This bill is the result of a study committee's work over the summer and combines the intent of both SB 242 and HB 689. In SB2 towns and school districts, the current one-size-fits-all method of calculating default budgets and dealing with proposed budgets at the deliberative session doesn't work for every community. This enabling legislation would allow a municipality to establish a charter commission with the sole mission of creating a new budgeting process that works best for the community. The charter commission would operate under defined procedures in existing statutes. Vote 16-0.

**HB 1526-FN-L**, providing for the election of members of the county convention as a separate county office. **INEXPEDIENT TO LEGISLATE.**

Rep. Catherine Cheney for Municipal and County Government. This bill would have the county convention be elected from at large citizens and would eliminate the requirement that the convention be composed of state representatives. A state representative could still serve as a member of the convention but would have to be elected to that office. In the two largest counties in NH, this would have required an additional election of hundreds of individuals. The insight and knowledge obtained at the state level by elected state representatives in the routine performance of their duties is beneficial in making decisions at the county level. The result could be that the county delegation and the county convention would be composed of two different groups of people. The bill also prohibits a person elected to the county convention from holding many other elected offices. The costs of administering such an election process was not disclosed although this bill was headed to another committee to deal with the financial implications. The committee felt, at this time, the current composition was not in need of any change without further study. Vote 15-0.

**HB 1251-FN-A**, requiring the department of transportation to upgrade a portion of road in the town of Pittsfield. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. Main Street in Pittsfield is an unnumbered state highway and unnumbered state highways have traditionally not been a part of the ten year transportation plan. Historically these categories of highways are funded through the betterment program or other state local match programs. Although not totally reconstructed, a portion of the road in question was paved last year and another portion is scheduled for this season. There are many unnumbered state highways throughout the state that have not received any work in recent years, but the Department of Transportation has recognized the need in Pittsfield and is addressing it. There are state local match programs available should the town wish to avail themselves of these opportunities. Vote 16-0.

**HB 1567-FN-A**, authorizing friends of animal number plates. **INEXPEDIENT TO LEGISLATE.** Rep. Alan Cohen for Transportation. The committee evaluated the bill in relation to all such specialty license plates. Based on previous testimony by the Department of Safety, the cost of producing specialty license plates is approximately \$300K based substantially on the cost of software changes. Vote 18-0.

**HB 1583-FN**, allowing for voluntary donations to veterans' organizations through a check-off box on driver's license applications and automobile registration forms. **REFER FOR INTERIM STUDY.** Rep. Karel Crawford for Transportation. Although the committee felt that this was a well intended bill there were too many unanswered questions of constitutionality in collecting the funds, and how DMV would actually administer the program. Vote 18-0.

**HB 1655-FN**, relative to registration fees for agricultural/industrial utility vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris True for Transportation. This bill returns the registration fee pertaining to agricultural/industrial utility vehicles to its 2014 level. The amendment clarifies existing confusion among town and city clerks regarding whether industrial utility vehicles are eligible as agricultural vehicles. The amendment also maintains the current flat fee of \$5. Vote 16-0.

#### **Amendment (0193h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to the municipal registration fee for an agricultural/industrial utility vehicle used exclusively for farming or agriculture.

Amend the bill by replacing all after the enacting clause with the following:

1 Fees for Registration Permits. Amend RSA 261:153, I to read as follows:

1. The treasurer of each city, or such other person as the city government may designate, and the town clerk of each town shall collect fees for such permits as follows: on each vehicle offered for registration a sum equal to 18 mills on each dollar of the maker's list price for a current model year vehicle, 15 mills on each dollar of the maker's list price for the first preceding model year vehicle, 12 mills on each dollar of the maker's list price for the second preceding model year vehicle, 9 mills on each dollar of the maker's list price for the third preceding model year vehicle, 6 mills on each dollar of the maker's list price for the fourth preceding model year vehicle, and 3 mills on each dollar of the maker's list price for the fifth preceding model year vehicle and any model year prior thereto. In no event, however, shall the fee be less than \$5. Registration permit fees for construction equipment, as defined in RSA 259:42, shall be governed by RSA 261:64. The director shall make the final determination of any vehicle model year in any case in which a dispute arises. The fee collected hereunder for a vehicle used only in the manner and for the purposes specified in RSA 261:82 *and for an agricultural/industrial utility vehicle used exclusively for farming or agriculture* shall be \$5; and provided further, that the fee collected hereunder for a farm tractor shall be \$5. In cases of doubt, the director may investigate for the purpose of determining eligibility for limited purpose registrations.

2 Effective Date. This act shall take effect January 1, 2017.

#### **AMENDED ANALYSIS**

This bill establishes the municipal registration fee for an agricultural/industrial utility vehicle used exclusively for farming or agriculture.

Referred to the Committee on Ways and Means.

**HB 1666-FN**, relative to certain definitions in the motor vehicles law. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill would effectively repeal registration requirements for all non-commercial New Hampshire vehicles. The magnitude of the fiscal impact makes it impossible to pass. Vote 18-0.

#### **REGULAR CALENDAR**

**HB 1272-FN**, relative to bus transportation for chartered public school students. **OUGHT TO PASS.** Rep. Ralph Boehm for Education. This bill provides for transportation to public charter schools if the charter school is in the school district. This bill only mandates bus transportation in accordance with the same terms and conditions as they provide to their regular public schools. Current law states that transportation be provided for private schools in the school district. Vote 11-8.

Rep. Ladd offered floor amendment (0414h).

**Floor Amendment (0414h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Chartered Public Schools; Establishment. Amend RSA 194-B:2, V to read as follows:

V. Attendance at a chartered public school for the purposes of transportation shall not constitute assignment under the provisions of RSA 189:6 and RSA 189:8. Pupils who reside in the school district in which the chartered public school is located shall be provided transportation to that school by the district on the same terms and conditions as provided for ~~[in RSA 189:6 and RSA 189:8 and that transportation is provided to pupils attending other]~~ *regular* public schools ~~[within that]~~ *in the district and utilizing the same regular bus schedules and routes that are provided to pupils attending public schools within that district.* ~~[However, any added costs for such transportation services shall be borne by the chartered public school.]~~

2 Effective Date. This act shall take effect July 1, 2016.

Rep. Ladd spoke in favor.

Floor amendment (0414h) adopted.

Committee report of Ought to Pass with Amendment adopted and ordered to third reading.

**HB 1127, relative to qualifications of referees in the superior courts and circuit courts. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for the Majority of Judiciary. RSA 490-F:15 grants the circuit court the power to assign referees to any non-jury case including marital cases. In some cases these referees and masters are former or retired judges, retired clerks, or retired court staff, but as the existing statutes do not specify the qualifications required, those currently holding positions as referees come from a wide range of experience level. This latitude of experience has the potential to create inconsistency in the application of justice in the court. Additionally, because referees and masters who are not former judges are not officers of the state (they are employees only), there is no legislative or executive oversight of these positions. This bill seeks to introduce a modest provision requiring that all referees, marital referees, or marital masters who are not former or retired judges be commissioned as justices of the peace. The committee reviewed the requirements to serve as a justice of the peace and found that they were not overly burdensome. Because justices of the peace are public state officers who receive their commission from the Governor and Council, this bill will make it possible for the legislative or executive branch to oversee referees and masters. Vote 10-8.

Rep. David Woodbury for the Minority of Judiciary. Requiring a referee or master of become a justice of the peace not only subjects that person to removal by bill of address, but more importantly subjects that person to what amounts to a retention election when their commission expires. This subjects the master/referee to the push and pull of partisan politics by having to curry favor with a majority of Governor and Council upon renewal of their commission. This runs counter to our entire state history of fostering judicial independence. This bill represents bad policy and should be rejected.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Woodbury spoke against and yielded to questions.

Rep. McLean spoke in favor and yielded to questions.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

**YEAS 185 NAYS 124**

**YEAS - 185**

**BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Luther, Robert

Dumais, Russell  
Gallagher, Brian  
Russell, David

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Wright, Ted

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen



**CHESHIRE**

Hunt, John	McConnell, James	Shepardson, Marjorie	Sterling, Franklin
Tilton, Benjamin			

**COOS**

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John	Thomas, Yvonne		

**GRAFTON**

Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Shackett, Jeffrey	

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christiansen, Lars	Christie, Rick
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gonzalez, Carlos	Gould, Linda	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Straight, Phillip	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Barnes, Arthur
Bates, David	Belanger, Ronald	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Dean-Bailey, Yvonne	Devine, James	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Friel, William
Gannon, William	Gordon, Richard	Green, Dennis	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Manning, John	Matthews, Carolyn	McMahon, Charles
Nigrello, Robert	O'Connor, John	Osborne, Jason	Packard, Sherman
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Tasker, Kyle	Thomas, Douglas	Tilton, Rio
True, Chris	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth		

**STRAFFORD**

Bickford, David	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Leeman, Don	Mullen, John	Turcotte, Leonard	Wuelper, Kurt

**SULLIVAN**

Grenier, James  
Smith, Steven

Laware, Thomas

Rollins, Skip

Schmidt, Andrew

**NAYS - 124****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Sad, Tara

Ames, Richard  
Eaton, Daniel  
Phillips, Larry  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Roberts, Kris  
Weber, Lucy

Bordenet, John  
Mann, John  
Robertson, Timothy

**COOS**

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
Higgins, Patricia  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Cooney, Mary  
Massimilla, Linda

Ford, Susan  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Cote, David  
Gidge, Kenneth  
Harvey, Suzanne  
Jeudy, Jean  
Marston, Dick  
Porter, Marjorie  
Smith, Timothy  
Williams, Kermit

Brown, Pamela  
Edwards, Elizabeth  
Goley, Jeffrey  
Heath, Mary  
Leishman, Peter  
McNamara, Richard  
Rosenwald, Cindy  
Snow, Kendall  
Woodbury, David

Cohen, Alan  
Forest, Armand  
Gorman, Mary  
Herbert, Christopher  
Mangipudi, Latha  
O'Brien, Michael  
Shattuck, Gilman  
Sullivan, Daniel

Cornell, Patricia  
Freitas, Mary  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
O'Neil, William  
Shaw, Barbara  
Takesian, Charlene

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Hirsch, Geoffrey  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Karrick, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
French, Barbara  
Luneau, David  
Patten, Dick  
Schuett, Dianne

Deloge, Helen  
Henle, Paul  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Berrien, Skip  
Cardon, G. Thomas  
Gordon, Pamela  
Pantelakos, Laura

Borden, David  
Cushing, Robert  
Heffron, Frank  
Simpson, Alexis

Cahill, Michael  
DiFranco, Debbie  
Lovejoy, Patricia  
Ward, Gerald

Cali-Pitts, Jacqueline  
Francese, Paula  
McBeath, Rebecca

**STRAFFORD**

Baber, William  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Berube, Roger  
Horriggan, Timothy  
Smith, Marjorie  
Treleven, Susan

Bixby, Peter  
Kaen, Naida  
Southworth, Thomas  
Verschueren, James

Burton, Wayne  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne

and the majority committee report was adopted and ordered to third reading.

**SPECIAL ORDER****HB 1350**, relative to allodial rights and violations of the oath of office. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Hopper for Judiciary. This bill would require that any public official who knowingly diminishes the allodial land right of a New Hampshire resident would be tried for treason. An allodial land right is an absolute right to your land and any building on it. If it is absolute, it can't be taxed, zoned, or taken via eminent domain. The majority of the Judiciary Committee found the sponsors' understanding of land rights, at the time of Constitution was written, to be inconsistent with the Constitution itself. In 1784, Part I, Article 6 [Morality and Piety] said, "Legislature to authorize from time to time, the several towns, parishes, bodies-corporate, or religious societies within this State, to make adequate provision at their own expense, for the support and maintenance of public Protestant teachers of piety, religion and morality." This was followed by the legislature requiring that each town tax its people based on their property value, in order to hire teachers. If the founders of this state had believed in allodial land rights, they wouldn't have taxed the people's property. Vote 16-1.

Rep. Marple spoke against.

Rep. Hopper spoke in favor.

Committee report adopted.

**SPECIAL ORDER****CACR 15**, relating to the election of judges. Providing that judges be elected for specific terms. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. This resolution is the most recent version of an idea which has been proposed and rejected many times before: electing judges. The committee concluded that this proposal should be rejected again. Throughout the history of our state, judges have been appointed by the Governor and Executive Council after an exhaustive selection process. The people have ample opportunity to comment on the judicial nominees' qualifications and personal character throughout this selection process. Once in office, judges are held to the highest personal and professional standards and they can be removed from office if they behave badly, but they are free of outside political pressure. Our judges do not have to run for re-election, which means they do not have to promise to rule one way or another on certain types of cases just to get political endorsements, nor do they have to raise campaign funds. Our judges can remain truly impartial and independent. The committee finally notes that no one aside from the prime sponsor showed up to testify in favor of this resolution, the prime sponsor gave only a brief oral presentation, and the resolution as introduced failed to address a number of essential issues, e.g., the length of the judges' terms, and who would be qualified to run for judicial office. Vote 16-0.

Rep. Horrigan spoke in favor.

Rep. Gannon spoke against and requested a roll call; sufficiently seconded.

**YEAS 220    NAYS 85**

**YEAS - 220****BELKNAP**

Dumais, Russell  
Howard, Jr., Raymond  
Spanos, Peter

Fields, Dennis  
LeBreche, Shari

Flanders, Donald  
Luther, Robert

Gallagher, Brian  
Russell, David

**CARROLL**

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Chandler, Gene  
Umberger, Karen

McConkey, Mark

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Hunt, John  
Phillips, Larry  
Shepardson, Marjorie

Bordenet, John  
Johnsen, Gladys  
Roberts, Kris  
Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Higgins, Patricia  
Shackett, Jeffrey

Cooney, Mary  
Ladd, Rick  
Smith, Suzanne

Ford, Susan  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Biggie, Barbara  
Cohen, Alan  
Eastman, Eric  
Freitas, Mary  
Gonzalez, Carlos  
Guerette, C. Lee  
Hansen, Peter  
Hinch, Richard  
Kurk, Neal  
Manley, Jonathan  
O'Brien, Michael  
Pellegrino, Anthony  
Proulx, Mark  
Seidel, Carl  
Snow, Kendall  
Williams, Kermit

Balcom, John  
Brown, Pamela  
Cornell, Patricia  
Edwards, Elizabeth  
Gagne, Larry  
Gorman, Mary  
Haefner, Robert  
Harvey, Suzanne  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Peggy  
O'Neil, William  
Peterson, Ken  
Rosenwald, Cindy  
Shattuck, Gilman  
Straight, Phillip  
Wolf, Terry

Barry, Richard  
Byron, Frank  
Cote, David  
Flanagan, Jack  
Gidge, Kenneth  
Gould, Linda  
Halstead, Carolyn  
Heath, Mary  
Jack, Martin  
Leishman, Peter  
McLean, Mark  
Ober, Russell  
Pierce, David  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Daniel  
Woodbury, David

Belanger, James  
Christiansen, Lars  
Danielson, David  
Forest, Armand  
Goley, Jeffrey  
Griffin, Barbara  
Hansberry, Daniel  
Herbert, Christopher  
Jeudy, Jean  
Mangipudi, Latha  
McNamara, Richard  
Palmer, Barry  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Hirsch, Geoffrey  
Long, Douglas  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Karrick, David  
Luneau, David  
Parent, Jason  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
French, Barbara  
Kidder, David  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Walsh, Thomas

Deloge, Helen  
Henle, Paul  
Kotowski, Frank  
Moffett, Howard  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Cushing, Robert  
Elliott, Robert  
Friel, William  
Hagan, Joseph  
Kappler, Lawrence  
Matthews, Carolyn  
O'Connor, John  
Rice, Frederick  
Webb, James

Allen, Mary  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Ferrante, Beverly  
Gordon, Pamela  
Heffron, Frank  
Katsakiores, Phyllis  
McBeath, Rebecca  
Packard, Sherman  
Simpson, Alexis  
Welch, David

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Pantelakos, Laura  
Tilton, Rio

Borden, David  
Christie, Andrew  
DiFranco, Debbie  
Francese, Paula  
Guthrie, Joseph  
Introne, Robert  
Lovejoy, Patricia  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
Ward, Gerald

**STRAFFORD**

Baber, William  
Burton, Wayne  
Gray, James  
Schmidt, Peter  
Sprague, Dale  
Wuelper, Kurt

Berube, Roger  
Cheney, Catherine  
Horrigan, Timothy  
Smith, Marjorie  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Southworth, Thomas  
Verschueren, James

Bixby, Peter  
Graham, Robert  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

**NAYS - 85****BELKNAP**

Aldrich, Glen

Fraser, Valerie

Vadney, Herbert

**CARROLL**

Avellani, Lino  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

McConnell, James

Tilton, Benjamin

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Darrow, Stephen

Gionet, Edmond

Ingbretson, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Christie, Rick  
Ferreira, Elizabeth  
Marston, Dick  
Murphy, Keith  
Sanborn, Laurie  
Sullivan, Victoria

Ammon, Keith  
Donovan, Daniel  
Fromuth, Bart  
McClarren, Donald  
Notter, Jeanine  
Scotsas, Lisa  
Twombly, Timothy

Boehm, Ralph  
Edelblut, Frank  
Hogan, Edith  
Moore, Josh  
Ohm, Bill  
Simmons, Tammy  
Ulery, Jordan

Burt, John  
Estevez, Eric  
Lachance, Joseph  
Murotake, David  
Rice, Kimberly  
Souza, Kathleen

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
McGuire, Carol

French, Harold  
Kuch, Bill  
McGuire, Dan

Hill, Gregory  
Marple, Richard  
Seaworth, Brian

Hoell, J.R.  
Martin, John

**ROCKINGHAM**

Abramson, Max  
Cook, Allen  
Green, Dennis  
Osborne, Jason  
Tasker, Kyle  
Ward, Joanne

Barnes, Arthur  
Emerick, J. Tracy  
Harris, Jeffrey  
Potucek, John  
Thomas, Douglas  
Weyler, Kenneth

Bates, David  
Gannon, William  
Itse, Daniel  
Schroadter, Adam  
True, Chris

Chirichiello, Brian  
Gordon, Richard  
Manning, John  
Spillane, James  
Vose, Michael

**STRAFFORD**

DeLemus, Susan  
Leeman, Don

Groen, Warren  
Mullen, John

Hannon, Joseph  
Turcotte, Leonard

Kaczynski, Jr., Thomas

**SULLIVAN**

Laware, Thomas  
and the committee report was adopted.

Rollins, Skip

**HB 1214**, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Sterling for the Majority of Municipal and County Government. Towns and cities would be authorized to levy a local tax on hotel occupancy under this proposed bill. Although

minimal, it would establish yet another tax and it is unclear what the costs of administering this program would be. The bill implies that the tax would simply be administered under the current Meals and Rooms Tax program but the funds received would have to be returned to the municipality which collected it and would not be subject to the education funding that is part of the current Meals and Rooms Tax structure. Therefore, it would require separate accounting and possibly additional costs at the state level which would need to be considered in setting budgets. Setting a new tax on room occupancy that would vary from municipality to municipality could have an adverse effect on tourism and the unintended consequences of such a change are undeterminable at this time. The committee felt this legislation, although permitted in other states, was not in keeping with our low tax image. Vote 10-6.

Rep. Marjorie Porter for the Minority of Municipal and County Government. As we are all aware, budgetary constraints have resulted in the state reducing the share of the meals and rooms tax revenues sent back to cities and towns by tens of millions of dollars over the past several budget cycles. Communities which are tourist destinations have been hit particularly hard by this downshifting. Local property tax payers must foot the costs for the extra municipal services needed when their populations swell during tourist season. Extra police may be needed or specialized fire equipment must be purchased, for example. HB 1214 allows these communities, if they so choose, to add an additional surcharge, not to exceed \$2.00, on hotel occupancy within the municipality under the meals and room tax. In this way, visitors would help pay for services they use, and the burden on local taxpayers would be reduced. This is enabling legislation, and allows for local control.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Porter and Frederick Rice spoke against and yielded to questions.

Reps. Pantelakos and Herbert spoke against.

Rep. Sterling spoke in favor.

Rep. Pantelakos requested a roll call; sufficiently seconded.

## YEAS 185 NAYS 119

### YEAS - 185

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari
Luther, Robert	Spanos, Peter	Vadney, Herbert	

#### CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McConkey, Mark	Schmidt, Stephen	Umberger, Karen

#### CHESHIRE

Abbott, Michael	Hunt, John	McConnell, James	Roberts, Kris
Sterling, Franklin	Tatro, Bruce		

#### COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

#### GRAFTON

Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christie, Rick	Cote, David
Danielson, David	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart	Gagne, Larry
Gidge, Kenneth	Gonzalez, Carlos	Gould, Linda	Griffin, Barbara

Haefner, Robert  
Hogan, Edith  
LeBrun, Donald  
Moore, Josh  
Ober, Lynne  
Pellegrino, Anthony  
Rosenwald, Cindy  
Scotsas, Lisa  
Smith, Timothy  
Takesian, Charlene

Halstead, Carolyn  
Hopper, Gary  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Pierce, David  
Rouillard, Claire  
Seidel, Carl  
Souza, Kathleen  
Twombly, Timothy

Hansen, Peter  
Kurk, Neal  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Proulx, Mark  
Rowe, Robert  
Simmons, Tammy  
Straight, Phillip  
Ulery, Jordan

Hinch, Richard  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Rice, Kimberly  
Sanborn, Laurie  
Smith, Gregory  
Sullivan, Victoria  
Wolf, Terry

### MERRIMACK

Brewster, Michael  
Horn, Werner  
Long, Douglas  
McGuire, Dan  
Shurtleff, Stephen

French, Harold  
Kidder, David  
Marple, Richard  
Parent, Jason  
Walsh, Thomas

Hill, Gregory  
Kotowski, Frank  
Martin, John  
Patten, Dick

Hoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Seaworth, Brian

### ROCKINGHAM

Abrami, Patrick  
Bates, David  
Cook, Allen  
Emerick, J. Tracy  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, Joanne

Abramson, Max  
Belanger, Ronald  
Dean-Bailey, Yvonne  
Ferrante, Beverly  
Gordon, Richard  
Hagan, Joseph  
Itse, Daniel  
Manning, John  
Osborne, Jason  
Schroadtter, Adam  
Tilton, Rio  
Webb, James

Allen, Mary  
Cardon, G. Thomas  
Devine, James  
Fesh, Robert  
Green, Dennis  
Harris, Jeffrey  
Kappler, Lawrence  
Matthews, Carolyn  
Packard, Sherman  
Spillane, James  
True, Chris  
Welch, David

Barnes, Arthur  
Chirichiello, Brian  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McMahon, Charles  
Potucek, John  
Tasker, Kyle  
Vose, Michael  
Weyler, Kenneth

### STRAFFORD

Bickford, David  
Gray, James  
Leeman, Don  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Mullen, John  
Verschueren, James

DeLemus, Susan  
Hannon, Joseph  
Sprague, Dale  
Wuelper, Kurt

Graham, Robert  
Kaczynski, Jr., Thomas  
Treleaven, Susan

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 119

### CARROLL

Butler, Edward

McCarthy, Frank

Ticehurst, Susan

Wright, Ted

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Phillips, Larry  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Bordenet, John  
Mann, John  
Sad, Tara

Chase, Cynthia  
Pearson, William  
Shepardson, Marjorie

### COOS

Moynihn, Wayne

Theberge, Robert

Thomas, Yvonne

### GRAFTON

Abel, Richard  
Higgins, Patricia  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Cooney, Mary  
Massimilla, Linda

Ford, Susan  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert	Brown, Pamela	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	Donovan, Daniel	Edwards, Elizabeth	Forest, Armand
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeady, Jean	Leishman, Peter	Mangipudi, Latha
Manley, Jonathan	Marston, Dick	McNamara, Richard	O'Brien, Michael
O'Neil, William	Peterson, Ken	Porter, Marjorie	Shattuck, Gilman
Snow, Kendall	Sullivan, Daniel	Williams, Kermit	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Bradley, Paula	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	French, Barbara	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Turcotte, Alan	Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francesse, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Nigrello, Robert
Pantelakos, Laura	Rice, Frederick	Simpson, Alexis	Ward, Gerald

**STRAFFORD**

Baber, William	Bixby, Peter	Burton, Wayne	DiSesa, Len
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Wall, Janet

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted.

**HB 1221**, relative to excluding certain one-time expenditures from the default budget in official ballot municipalities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Franklin Sterling for the Majority of Municipal and County Government. This bill is yet another attempt to define what items are "one time expenses" for the purpose of creating a "default" budget in official ballot communities and school districts. The committee recommended Inexpedient to Legislate as this definition might work for the school district of the sponsors, it will certainly be a change to what other districts are doing and we will see another bill next session to change the definition yet again. The committee felt that HB 1375 was the better solution. Vote 12-4. Rep. Catherine Cheney for the Minority of Municipal and County Government. The committee heard there is a need to solve the problem of default budgets in official ballot municipalities and this needs more study which this bill might have done.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Abramson spoke against.

Rep. Sterling spoke in favor.

On a division vote, with 224 members having voted in the affirmative and 67 in the negative, the majority committee report was adopted.

**HB 1402**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Franklin Sterling for the Majority of Municipal and County Government. HB 1402 would prohibit the state and political subdivisions from acquiring military-equipped vehicles or equipment not readily available on the commercial market. This is identical to HB 407 introduced in 2015. HB 1402 has the same fault as the previous bill in that it calls for any hardware or equipment already in the possession



of municipalities be forfeited but does not provide an entity to turn it over to. HB 407 was turned into a study committee with a reporting date of November 2016. The study committee has not completed its work at this time and should be allowed to complete its work before any legislation is introduced on this subject. Although there is committee support for addressing this issue, it was felt premature to adopt legislation that is subject to change based on any study committee findings. The committee options, therefore, would be Inexpedient to Legislate (ITL) or Refer for Interim Study (RIS). Since there is likely to be new legislation that will result from the current study committee, RIS seemed to be a duplication of effort, ITL was deemed the appropriate motion. Vote 11-4.

Rep. Keith Ammon for the Minority of Municipal and County Government. Police departments should be part of the community and not styled after an occupying military force. The proliferation of military-style weapons among domestic law enforcement is a troubling trend. Last year President Obama issued an executive order limiting the types of weapons and equipment that domestic police departments are allowed to possess. However, executive orders can be reversed by the next administration. The minority felt that killing this bill sends the wrong message regarding this issue and instead wanted the bill Referred for Interim Study. A study committee created by a similar bill last year is still meeting and has yet to release its findings. Defining military style equipment may be difficult to do. We wouldn't want to prevent police departments from obtaining defensive gear that would protect the safety of officers. Perhaps, though, it is possible to codify some of the rules contained in the President's executive order into New Hampshire law, so that it cannot easily be reversed by a future presidential administration.

### MOTION TO LAY ON THE TABLE

Rep. Hoell moved that **HB 1402**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market, be laid on the table.

Motion adopted.

### REGULAR CALENDAR CONT'D

**HB 1576-FN-L**, repealing the licensure of dogs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Treleven for the Majority of Municipal and County Government. The proposal to eliminate licensing of dogs has been before this legislature several times and was always defeated. Although there is evidence that this practice was instituted to fund "damage done by dogs" to local sheep, it has become more than that today. The fact that other animals are not required to be licensed was brought up but most of those cited were animals that are normally confined and most not subject to spreading rabies. Without licensing, strays would be almost impossible to identify, the requirement for rabies vaccinations could be largely ignored and many programs of benefit to the public would go unfunded. Testing for rabies at the State Diagnostic Lab would be curtailed as well as other animal related programs and even the office of the State Veterinarian would suffer. The committee saw little support for this legislation, which was also the case in prior year attempts to do the same. Vote 12-3.

Rep. Keith Ammon for the Minority of Municipal and County Government. The history of dog licensure can be traced back to the 1800s when it was a community fund to be used to compensate farmers for damage to their livestock by dogs. It has since morphed into a compulsory regulatory scheme, and once a tax or regulatory scheme is in place it's almost impossible to dislodge it. Outside interests lobby to keep it. Quite often, if a dog owner forgets to renew their license, warrants are issued by the town and the police are dispatched to their home to remind them to pay. This seems like a preposterous use of law enforcement resources. The United Kingdom abolished mandatory dog licensing in 1987 and canine chaos has not ensued. Some dog owners resent being taxed on their best friend.

Majority committee report adopted.

**HB 1212**, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton. **OUGHT TO PASS.**

Rep. Erin Hennessey for Public Works and Highways. This bill seeks to name the Interstate 93 Exit 44 welcome center after the late executive councilor Raymond S. Burton. Councilor Burton was instrumental in the opening of the exit 44 welcome center in the late 1980's. He also enthusiastically and tirelessly served his constituents of the North Country for over 32 years. The committee heard testimony that this bill has received wide-spread support in the local community. This bill has no fiscal impact. Vote 14-0. Committee report adopted and ordered to third reading.

**HB 1430-FN**, relative to registration of compact utility tractors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas Walsh for Transportation. This bill as amended simply clarifies the definition of compact utility tractor for registration and operation purposes. The committee amendment fixes a possible scenario where a lawn mower might have required registration. Vote 16-0.

**Amendment (0130h)**

Amend the bill by replacing section 1 with the following:

1 Words and Phrases; Compact Utility Trailer Added. Amend RSA 259:13-a to read as follows:

259:13-a ***Compact Utility Tractor.*** ***“Compact utility tractor” shall mean any self-propelled 4-wheel vehicle utilizing diesel fuel, with a rated horsepower not to exceed 28 horsepower, that is capable of carrying not more than one occupant, is equipped by the manufacturer with at least one PTO (power take-off) in addition to any PTO installed for the purpose of an under-tractor mower deck, and has no provision for carrying a load other than attached implements such as snowplows, tool boxes, or bucket loaders.***

Amend the bill by replacing section 3 with the following:

3 Operation on Ways. Amend RSA 265:160 to read as follows:

265:160 Utility Vehicles ***and Compact Utility Tractors***; Operation on Ways Restricted. No person shall operate a utility vehicle, including an agricultural/industrial utility vehicle as defined in RSA 259:2-a, ***a compact utility tractor, as defined in RSA 259:13-a***, or an off highway recreational vehicle as defined in RSA 259:69, except on a way where the posted speed limit is 40 miles per hour or less ***or, in the case of compact utility tractor, 35 miles per hour or less***, and the route or crossing being used is open to such vehicles and at such times and under any other special operating conditions established by the government authority having control of the way. Any person operating or in actual physical control of such a vehicle upon a way shall hold a valid driver’s license.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect July 1, 2017.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Steven Smith offered floor amendment (0270h).

**Floor Amendment (0270h)**

Amend RSA 259:13-a as inserted by section 1 of the bill by replacing it with the following:

259:13-a ***Compact Utility Tractor.*** ***“Compact utility tractor” shall mean any self-propelled 4-wheel vehicle utilizing diesel fuel, with a rated horsepower not to exceed 28 horsepower, that is capable of carrying not more than one occupant, is equipped by the manufacturer with at least one PTO (power take-off) in addition to any PTO installed for the purpose of an under-tractor mower deck, and has no provision for carrying a load other than attached implements such as snowplows, tool boxes, or bucket loaders.***

Amend the bill by replacing section 3 with the following:

3 Operation on Ways. Amend RSA 265:160 to read as follows:

265:160 Utility Vehicles ***and Compact Utility Tractors***; Operation on Ways Restricted. No person shall operate a utility vehicle, including an agricultural/industrial utility vehicle as defined in RSA 259:2-a, ***a compact utility tractor, as defined in RSA 259:13-a***, or an off highway recreational vehicle as defined in RSA 259:69, except on a way where the posted speed limit is 40 miles per hour or less ***or, in the case of compact utility tractor, 35 miles per hour or less***, and the route or crossing being used is open to such vehicles and at such times and under any other special operating conditions established by the government authority having control of the way. Any person operating or in actual physical control of such a vehicle upon a way shall hold a valid driver’s license.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect July 1, 2017.

Rep. Steven Smith spoke in favor.

Floor amendment (0270h) adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 1446**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. The "Hands-Free Law" (RSA 265:79-c) in its present incarnation was the result of over a year's worth of study and consultation. This bill seeks to modify a law before the implications of the current law are fully understood. By making this law enforceable as a secondary offense it would prevent law enforcement from pulling over a driver so distracted by their device they do not notice the presence of a law enforcement officer watching them from an adjacent vehicle. Law enforcement officers are currently empowered to address dangerous behavior pro-actively without waiting for the distracted driver to strike someone else. Vote 15-3.

Rep. Horn spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

## YEAS 198 NAYS 100

### YEAS - 198

#### BELKNAP

Dumais, Russell  
Russell, David

Fields, Dennis  
Spanos, Peter

Flanders, Donald

LeBreche, Shari

#### CARROLL

Buco, Thomas  
McConkey, Mark

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

McCarthy, Frank  
Umberger, Karen

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Phillips, Larry  
Sterling, Franklin

Berch, Paul  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

Bordenet, John  
Mann, John  
Sad, Tara  
Tilton, Benjamin

#### COOS

Fothergill, John  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Rappaport, Laurence  
Thomas, Yvonne

Richardson, Herbert

#### GRAFTON

Abel, Richard  
Ford, Susan  
Maes, Kevin  
Sykes, George

Almy, Susan  
Hennessey, Erin  
Massimilla, Linda  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Shackett, Jeffrey

Darrow, Stephen  
Ladd, Rick  
Smith, Suzanne

#### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Cote, David  
Flanagan, Jack  
Gidge, Kenneth  
Haefner, Robert  
Hinch, Richard  
LeBrun, Donald  
McClarren, Donald  
Pellegrino, Anthony  
Proulx, Mark  
Seidel, Carl  
Souza, Kathleen  
Wolf, Terry

Balcom, John  
Christiansen, Lars  
Danielson, David  
Forest, Armand  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
Peterson, Ken  
Rosenwald, Cindy  
Shattuck, Gilman  
Straight, Phillip  
Woodbury, David

Barry, Richard  
Cohen, Alan  
Donovan, Daniel  
Freitas, Mary  
Gould, Linda  
Harvey, Suzanne  
Judy, Jean  
Mangipudi, Latha  
O'Brien, Michael  
Pierce, David  
Rouillard, Claire  
Smith, Timothy  
Takesian, Charlene

Biggie, Barbara  
Cornell, Patricia  
Eastman, Eric  
Gagne, Larry  
Guerette, C. Lee  
Heath, Mary  
Kurk, Neal  
Manley, Jonathan  
O'Neil, William  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Williams, Kermit

#### MERRIMACK

Alicea, Caroletta  
Doherty, David

Bradley, Paula  
Ebel, Karen

Carson, Clyde  
French, Barbara

Deloge, Helen  
Henle, Paul

Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Wallner, Mary Jane

Horn, Werner  
Luneau, David  
Parent, Jason  
Saunderson, George  
Walsh, Thomas

Karrick, David  
MacKay, James  
Patten, Dick  
Schuett, Dianne

Kidder, David  
Moffett, Howard  
Ratzki, Mario  
Shurtleff, Stephen

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Elliott, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Manning, John  
Nigrello, Robert  
Potucek, John  
Ward, Gerald

Allen, Mary  
Borden, David  
Cushing, Robert  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
Matthews, Carolyn  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Welch, David

Barnes, Arthur  
Cahill, Michael  
Devine, James  
Francesca, Paula  
Hagan, Joseph  
Kappler, Lawrence  
McBeath, Rebecca  
Packard, Sherman  
Rice, Frederick

Belanger, Ronald  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Gordon, Pamela  
Heffron, Frank  
Lovejoy, Patricia  
McMahon, Charles  
Pantelakos, Laura  
Simpson, Alexis

### STRAFFORD

Baber, William  
DiSesa, Len  
Kaen, Naida  
Southworth, Thomas

Bickford, David  
Graham, Robert  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
Gray, James  
Schmidt, Peter  
Verschueren, James

Cheney, Catherine  
Horrigan, Timothy  
Smith, Marjorie  
Wall, Janet

### SULLIVAN

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Schmidt, Andrew

Gottling, Suzanne  
O'Hearne, Andrew  
Smith, Steven

### NAYS - 100

### BELKNAP

Aldrich, Glen  
Vadney, Herbert

Fraser, Valerie

Howard, Jr., Raymond

Luther, Robert

### CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Wright, Ted

### CHESHIRE

Hunt, John

McConnell, James

### COOS

Rideout, Leon

### GRAFTON

Gionet, Edmond

Ingretson, Paul

Johnson, Eric

### HILLSBOROUGH

Adams, Christopher  
Burt, John  
Edwards, Elizabeth  
Gonzalez, Carlos  
Hogan, Edith  
McCarthy, Peggy  
Murphy, Keith  
Ohm, Bill  
Simmons, Tammy  
Twombly, Timothy

Ammon, Keith  
Byron, Frank  
Estevez, Eric  
Griffin, Barbara  
Hopper, Gary  
McLean, Mark  
Notter, Jeanine  
Rice, Kimberly  
Smith, Gregory  
Ulery, Jordan

Belanger, James  
Christie, Rick  
Ferreira, Elizabeth  
Halstead, Carolyn  
Lachance, Joseph  
Moore, Josh  
Ober, Lynne  
Sanborn, Laurie  
Sullivan, Daniel

Boehm, Ralph  
Edelblut, Frank  
Fromuth, Bart  
Hansen, Peter  
Marston, Dick  
Murotake, David  
Ober, Russell  
Scontsas, Lisa  
Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
Kuch, Bill  
McGuire, Carol

French, Harold  
Long, Douglas  
McGuire, Dan

Hill, Gregory  
Marple, Richard  
Seaworth, Brian

Hoell, J.R.  
Martin, John  
Turcotte, Alan

**ROCKINGHAM**

Abramson, Max  
Dean-Bailey, Yvonne  
Gannon, William  
Itse, Daniel  
Schroadter, Adam  
True, Chris  
Weyler, Kenneth

Bates, David  
Emerick, J. Tracy  
Gordon, Richard  
Katsakiores, Phyllis  
Spillane, James  
Vose, Michael

Chirichiello, Brian  
Ferrante, Beverly  
Green, Dennis  
Kolodziej, Walter  
Tasker, Kyle  
Ward, Joanne

Cook, Allen  
Friel, William  
Harris, Jeffrey  
Osborne, Jason  
Thomas, Douglas  
Webb, James

**STRAFFORD**

DeLemus, Susan  
Leeman, Don  
Turcotte, Leonard

Groen, Warren  
Mullen, John  
Wuelper, Kurt

Hannon, Joseph  
Spang, Judith

Kaczynski, Jr., Thomas  
Sprague, Dale

and the committee report was adopted.

**HB 1697-FN**, relative to the operation and insurance of transportation network companies. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for the Majority of Transportation. This bill establishes insurance guidelines and consumer protections for transportation network companies and their customers. This statewide framework is supported by the industry and creates a growth environment. The committee amendment clarifies when additional insurance coverage is required for vehicles engaging in transport part time. Vote 14-2.

Rep. Werner Horn for the Minority of Transportation. Regulating one segment of an industry creates a special class. This bill as amended will remove from a municipality the responsibility for regulating a ground transportation business operating in their towns or cities. Transportation network companies have a business model that has been directly challenged in separate cities and towns by existing ground transportation companies. This legislation is a direct response to those challenges by seeking immunity and autonomy from regulation in the very communities they operate in. Innovative business models should not enjoy special legislative protections that place existing industries at a disadvantage.

**Majority Amendment (0176h)**

Amend RSA 376-A:8 through RSA 376-A:10 as inserted by section 1 of the bill by replacing them with the following:

376-A:8 Financial Responsibility of TNCs. On or before the effective date of this chapter and thereafter:

I. Every TNC driver, or TNC on behalf of the driver, shall maintain primary motor vehicle insurance that recognizes that the driver is a TNC driver or otherwise uses a vehicle to transport passengers for compensation and covers the driver:

- (a) While the driver is logged on to the TNC's digital network; or
- (b) While the driver is engaged in a prearranged ride.

II. The following motor vehicle insurance requirements shall apply while a participating TNC driver is logged on to the TNC's digital network but is not engaged in a prearranged ride:

(a) Primary motor vehicle liability insurance, consistent with RSA 259:61, in the amount of at least \$50,000 for death and bodily injury per person; \$100,000 for death and bodily injury per incident; and \$25,000 for property damage, including the duty to defend.

(b) Coverage consistent with New Hampshire financial responsibility laws.

III. The coverage requirements of paragraph II may be satisfied by any of the following:

- (a) Motor vehicle insurance maintained by the TNC driver;
- (b) Motor vehicle insurance maintained by the TNC; or
- (c) Any combination of subparagraphs (a) and (b).

IV. The following motor vehicle insurance requirements shall apply while a TNC driver is engaged in a prearranged ride:

(a) Primary motor vehicle liability insurance, consistent with RSA 259:61, that provides at least \$1,000,000 for death, bodily injury, and property damage and includes the duty to defend.

(b) Coverage consistent with New Hampshire financial responsibility laws.

V. The coverage requirements of paragraph IV may be satisfied by any of the following:

(a) Motor vehicle insurance maintained by the TNC driver;

(b) Motor vehicle insurance maintained by the TNC; or

(c) Any combination of subparagraphs (a) and (b).

VI. If insurance maintained by the TNC driver in paragraphs II and IV has lapsed or does not provide the required coverage, insurance maintained by the TNC shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend and indemnify such claim.

VII. Coverage under a motor vehicle insurance policy maintained by the TNC shall not be dependent on a personal motor vehicle insurer first denying a claim nor shall a personal motor vehicle insurance policy be required to first deny a claim.

VIII. Insurance required by this section shall be placed with an admitted insurer that has the requisite certificate of authority to write motor vehicle insurance pursuant to RSA 401:1. Insurance required under this section may be placed with an unadmitted surplus lines insurer consistent with the provisions of RSA 405:24 through RSA 405:31.

IX. Every TNC driver shall carry physical or electronic proof of coverage satisfying paragraphs II and IV with him or her at all times during his or her use of a vehicle in connection with a TNC's digital network. In the event of an accident, a TNC driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers. Upon request, a TNC driver shall also disclose to directly interested parties, automobile insurers, and investigating police officers, whether he or she was logged on to the TNC's digital network or on a prearranged ride at the time of an accident.

376-A:9 Disclosures. Before accepting a request for a prearranged ride on the TNC's digital network, every TNC shall disclose in writing to the TNC driver the following:

I. The insurance coverage, including the types of coverage and the limits for each coverage, that the TNC provides while the TNC driver uses a personal vehicle in connection with a TNC's digital network; and

II. That the TNC driver's own motor vehicle insurance policy might not provide any coverage while the TNC driver is logged on to the TNC's digital network or is engaged in a prearranged ride, depending on its terms.

376-A:10 Motor Vehicle Insurance Provisions.

I. Insurers that write motor vehicle insurance in New Hampshire may exclude any and all coverage afforded under the policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while a TNC driver is logged on to a TNC's digital network or while a driver provides a prearranged ride. The right to exclude all coverage may apply to any coverage included in a motor vehicle insurance policy including, but not limited to:

(a) Liability coverage for bodily injury and property damage.

(b) Uninsured and under insured motorist coverage.

(c) Medical payments coverage.

(d) Comprehensive physical damage coverage.

(e) Collision physical damage coverage.

If the coverage has been excluded under this paragraph, and the insurance required to be maintained by the TNC driver under RSA 376-A:8, II and IV has lapsed or does not provide the required coverage, the state financial responsibility requirements in RSA 259:61, I, including costs of defense, shall be satisfied by the TNC's motor vehicle insurance policy, beginning with the first dollar of a claim. Nothing in this section implies or requires that a personal motor vehicle insurance policy provide coverage while the TNC driver is logged on to the TNC's digital network, while the TNC driver is engaged in a prearranged ride, or while the TNC driver otherwise uses a vehicle to transport passengers for compensation. Nothing in this section shall be deemed to preclude an insurer from providing coverage for the TNC driver's vehicle, if it chooses to do so by contract or endorsement.

II. No automobile insurer that excludes the coverage described in RSA 376-A:8 shall have a duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in New Hampshire prior to the enactment of this chapter, that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy, shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of RSA 376-A:8 at the time of loss.

III. In a claims coverage investigation, TNCs and any insurer potentially providing coverage under RSA 376-A:8 shall cooperate in facilitating the exchange of relevant information with directly involved parties and any insurer of the TNC driver if applicable, including the precise times that a TNC driver logged on and off of the TNC's digital network in the 12 hour period immediately preceding and in the 12 hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under RSA 376-A:8.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Sanborn offered floor amendment (0405h).

#### **Floor Amendment (0405h)**

Amend RSA 376-A:3, II as inserted by section 1 of the bill by replacing it with the following:

II. The department shall issue a permit to each applicant that meets the requirements for a TNC under this chapter, and pays an annual permit fee of \$500 to the department.

Rep. Sanborn spoke in favor.

Rep. Steven Smith spoke in favor and yielded to questions.

Floor amendment (0405h) adopted.

Majority committee report adopted and referred to the Committee on Commerce and Consumer Affairs.

#### **BILLS REMOVED FROM THE CONSENT CALENDAR**

**HB 1389**, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting. **INEXPEDIENT TO LEGISLATE.** Rep. Bruce Tatro for Municipal and County Government. This bill would change the way a petitioned warrant article is treated in a deliberative session and would treat petitioned warrant articles differently in SB 2 communities and in traditional town meeting communities. A petitioned warrant article is already restricted as to the changes which may be made to it before it is presented to the voters. After it is introduced to the voters it should be treated like any other warrant article. The petition restrictions are only applicable to protect the article from being changed prior to introduction at the meeting where the voters have control over the article. Not allowing the voters to change one article while allowing changes to another is discriminatory and results in unequal treatment between articles. It could be used to convince submitters to make sure all articles presented to the town meeting are petitioned articles which would remove the ability for the voters to enact changes and significantly reduce the reasons for attending the deliberative session which is already affected with low attendance. There is also no reason to treat a petitioned warrant article in an official ballot municipality differently than one in a traditional meeting municipality. Vote 13-3.

Rep. Spillane spoke against and yielded to questions.

Rep. Tatro spoke in favor and yielded to questions.

On a division vote, with 194 members having voted in the affirmative and 100 in the negative, the committee report was adopted.

**HB 1621-FN-L**, relative to sanctuary cities. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. A sanctuary city is a municipality that has opted not to enforce any immigration laws and allow those illegals to reside in their community. There are currently no sanctuary cities in NH and committee members doubted there ever would be. This bill would simply mandate that there could not be such a community in the state and the committee felt it was unnecessary. Testimony was heard regarding pitfalls of a community

allowing such residency but, in the end, the question was legislation that would prohibit something from existing that was highly unlikely to exist in the first place. Imposing legislation upon communities to prevent something from happening that was unlikely to happen is precedent setting and might open the door to a huge amount of prohibitive legislation. NH is a permissive state and we all know that municipalities can now only do what is permitted by the state. Since sanctuary cities are not permitted then they are deemed to be prohibited and this bill is unnecessary. Vote 13-2.

### **MOTION TO LAY ON THE TABLE**

Rep. Potucek moved that **HB 1621-FN-L**, relative to sanctuary cities, be laid on the table. On a division vote, with 247 members having voted in the affirmative and 47 in the negative, the motion was adopted.

### **BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D**

**HB 1295-FN**, eliminating the bureau of certificate of title. **INEXPEDIENT TO LEGISLATE.** Rep. Larry Gagne for Transportation. This bill would eliminate the Bureau of Certificate of Title and would decrease state revenue by over \$10 million in the first year. Additionally vehicle titles prove ownership, adding value both to citizens and businesses. Vote 18-0.  
Rep. Marple spoke against.  
Rep. Steven Smith spoke in favor.  
Committee report adopted.

### **RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, February 10, 2016 at 10:00 a.m..

### **LATE SESSION**

#### **Third Reading and Final Passage**

**HB 1651**, relative to the duties of the commission to review child abuse fatalities.  
**HB 1375**, relative to charter commissions for budgets in official ballot jurisdictions.  
**HB 1272-FN**, relative to bus transportation for chartered public school students.  
**HB 1127**, relative to qualifications of referees in the superior courts and circuit courts.  
**HB 1212**, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton.

### **UNANIMOUS CONSENT**

Rep. Fothergill requested Unanimous Consent of the House regarding Cancer prevention month.  
Rep. Fothergill addressed the House.

### **RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 4:45 p.m.

### **RECESS**

**(Rep. Kotowski in the Chair)**

### **RESOLUTION**

Rep. Ebel offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bills numbered 1700 and 1701 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.  
Motion adopted.



**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 1700-FN**, relative to abuse-deterrent opioid drug products. (Sherman, Rock 24: Rosenwald, Hills 30; Hinch, Hills 21; Bradley, Dist 3: Commerce and Consumer Affairs)

**HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics. (Hannon, Straf 25: Health, Human Services and Elderly Affairs)

**COMMITTEE ASSIGNMENT**

The Speaker made the following changes to committee assignment:  
Rep. Jeffrey Shackett on the Committee on Public Works and Highways.

**RECESS**

**(Rep. Tholl in the Chair)**

**ENROLLED BILL AMENDMENT**

**SB 146**, relative to accessory dwelling units. (Amendment printed SJ 2-11-16)  
Adopted.

**SENATE MESSAGES****REFERRED FOR INTERIM STUDY**

**HB 141**, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.

**CONCURRENCE WITH AMENDMENTS**

**SB 144**, relative to carry-over coverall bingo and shared carry-over coverall bingo.

**NONCONCURRENCE WITH AMENDMENTS**

**SB 45**, establishing a commission to study opioid use in workers' compensation cases.

**SB 64-FN**, relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.

**RECESS**

**(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.  
Motion adopted.

**HOUSE JOURNAL NO. 6**

Wednesday, February 10, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Timeless, eternal God, we give You thanks for the reminder we receive on this holy day: that we come from dust and will one day return to dust. Whatever our individual beliefs or creed or tradition may be, we all share a common mortality. Inspire us to treasure this wondrous gift of life to use our time on earth wisely, and to make the most of every opportunity. Help us to focus on those things that are life-giving, and strengthen us to accomplish all that we are called to do, to use our time and our gifts wisely and well.

**A Prayer of Saint Augustine**

Almighty God, in whom we live and move and have our being,  
 You have made us for yourself and our hearts are restless until they rest in You:  
 Grant us purity of heart and strength of purpose,  
 That no selfish passion may hinder us from knowing Your will;  
 No weakness from doing it;  
 But that in Your light we may see light  
 To the glory of Your name. Amen.

Representative Pearson, member from Keene, led the Pledge of Allegiance.

The National Anthem was performed by a quintet from the New Hampshire Symphony; Jacqueline DeVoe on the flute; Andrea Bonsignore on the Oboe; Marguerite Levin on the Clarinet; Michael Weinstein on the Horn; and Gregory Newton on the Bassoon.

**LEAVES OF ABSENCE**

Reps. Chris Brown, Comtois, Emerson, Forest, Gardner, Gargasz, Kellogg, Knowles, Major, Marston, Priestley, Sanders, Twombly, Robert Walsh and Wheeler, the day, illness.

Reps. Barry, Bouldin, Bush, Fisher, Goulette, Hess, Hurt, Oigny, Russell, Sanborn and Tamburello, the day, important business.

**INTRODUCTION OF GUESTS**

Madison Norris, student at Hollis-Brookline High School, Page for the day.

Bebe Casey, guest of Rep. Ebel. Aileen Cormier, guest of Rep. Balcom. Gates Ingram, guest of Rep. Ticehurst. Joe Doiron, guest of Rep. Joe Sweeney. Rosanna Eubank and Kai Dude, guests of Rep. Douglas Long. Ann Royce and Heather Ames, guest and wife of Rep. Ames. Honorable Suzanne Mercer Vail, former member from Nashua, guest of Reps. Horrigan and Harvey. Fourth Graders from Broken Ground School in Concord, guests of the House.

**INTRODUCTION OF SPECIAL GUESTS**

Christopher Kobach, Secretary of State for the State of Kansas, guest of the House.

**CONSENT CALENDAR**

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 1495-FN-L**, relative to insurance incentives to lower costs of health care, removed by Rep. Kurk.

**HB 1189-FN**, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire, removed by Rep. Cushing.

**HB 1566-FN**, relative to out-of-state transportation companies, removed by Rep. Martel.

**HB 1581-FN-A**, establishing a special marriage officiant license, removed by Rep. Cushing.

**HB 1593-FN-L**, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms, removed by Rep. Hoell.

**HB 1693-FN-L**, abolishing fluoridation in water, removed by Rep. Valerie Fraser.

Consent Calendar adopted.

**HB 1434-FN**, relative to out-of-home placements under the child protection act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kimberly Rice for Children and Family Law. This bill as amended reinforces the requirement that the judges provide a written finding to keep a child in out-of-home placement after the preliminary hearing of an abuse and neglect proceeding. The written finding gives the estranged child and parent facts to rebut for reconsideration, de novo hearing, or appeal. This is a further attempt to ensure removal from the home only occurs when necessary. Vote 14-2.

**Amendment (0225h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Findings. The general court finds that the relationship between children and their parents is so fundamental to the wellbeing of society that unwarranted interference in that relationship is a harm to children, parents, and society as a whole. Furthermore, the failure to enumerate offenses is a violation of the Constitution of the State of New Hampshire Part 1, Article 15.

2 New Paragraphs; Child's Welfare and Findings Regarding Removal. Amend RSA 169-C:6-b by inserting after paragraph II the following new paragraphs:

III. If the court orders that a child be removed from his or her home at the preliminary hearing under RSA 169-C:15, the adjudicatory hearing under RSA 169-C:18, the dispositional hearing under RSA 169-C:19, or the final hearing under RSA 169-C:21, the court order for removal shall include specific written findings regarding the need for the out-of-home placement. The order shall enumerate specific instances of abuse or neglect, include a general description of incidents and dates where available, and summarize the evidence the court relied upon in ordering the placement.

IV. If the removal order does not comply with the requirements of paragraph III, the judge shall make a written finding to justify the out-of-home placement.

3 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill requires an order to remove a child from his or her home under the child protection act to include written findings with regard to the need for the out-of-home placement.

Referred to the Committee on Criminal Justice and Public Safety.

**HB 1159-FN**, relative to sale of tobacco products. **REFER FOR INTERIM STUDY.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill's original intent was to clarify the definition of tobacco products in the state liquor laws. After further discussion we found too many issues with the language in the statutes and determined that we need to recodify our statutes. The committee recommends referring this bill for Interim Study in order to address these inconsistencies and to provide an opportunity to create the right language. Vote 19-1.

**HB 1182-FN**, relative to fees for sales of wine by manufacturers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill, as amended, forms a study committee to find the right balance for applying the tax on wine manufacturers and to bring the reporting requirements in line with federal reporting requirements. Currently, New Hampshire taxes wine sold by manufacturers directly to consumers at 5% of the retail sale price. Reporting for the federal government is based on gallons, not dollars, so the committee hopes to find a more efficient way to combine the tax. This committee's responsibility is to rectify this difference and make it easier for our wine manufacturers to do the reporting. Vote 18-1.

**Amendment (0260h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study fees for sales of wine by manufacturers.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study fees for sales of wine by manufacturers.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study fees for sales of wine by manufacturers. The committee's study shall include an examination of federal reporting requirements for wine manufacturers licensed in New Hampshire. The committee shall determine what fee would be revenue neutral if New Hampshire switched from the current percentage of sales fee to a per gallon fee for wine manufacturers. The committee shall solicit input from the liquor commission, other state agencies, and private businesses as deemed relevant to the committee.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill establishes a committee to study fees for sales of wine by manufacturers.  
Referred to the Committee on Ways and Means.

#### **HB 1685-FN, relative to mortgage bankers, brokers, and services. OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill makes several common sense changes in an effort to clean up, organize and clarify regulations related to mortgage servers. It also simplifies the advertising disclosure requirements and removes the requirement for annual reports because the Banking Department now receives quarterly reports through the Nationwide Mortgage Licensing System and Registry (NMLS). The committee amendment restores an exemption for three real estate transactions in a 12-month period, makes a typographical correction and ensures that the maximum penalty for not filing reports remains the same as the current law. Vote 17-0.

#### **Amendment (0388h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to mortgage bankers, brokers, and servicers.

Amend RSA 397-A:4 as inserted by section 1 of the bill by inserting after paragraph IV the following new paragraph:

V. An owner of real property who, in any consecutive 12-month period, makes no more than 3 mortgage loans to purchasers of the property for all or part of the purchase price of the real estate against which the mortgage is secured.

Amend RSA 397-A:16, I as inserted by section 1 of the bill by replacing it with the following:

I. Mortgage bankers, mortgage brokers, or mortgage servicers may charge fees and points for services rendered in conjunction with the origination, closing, and servicing of loans. If any fee is collected in advance of the closing of the loan, the mortgage banker or mortgage broker shall provide the borrower with a written explanation of the purpose and disposition of the fee. A mortgage banker or mortgage broker may charge an application fee which may include the direct costs incurred by the mortgage banker or mortgage broker for processing an application, and for a real estate appraisal, a credit bureau report, or income verification, or other third party services.

Amend RSA 397-A:13, V as inserted by section 1 of the bill by replacing it with the following:

V. Any mortgage banker, mortgage broker, or mortgage servicer failing to file the mortgage call report required by this section within the time prescribed may be required to pay to the department a penalty of \$25 for each calendar day the mortgage call report is overdue up to a maximum penalty of \$625 per mortgage call report.

#### AMENDED ANALYSIS

This bill defines and regulates mortgage servicers.  
Referred to the Committee on Ways and Means.

**HB 1584-FN**, relative to minimum and maximum sentences for felony convictions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill as introduced dealt with minimum and maximum sentences for felony convictions. The committee believes that the credit for serving time in county jails in lieu of paying a fine, which has not been updated in 20 years, needs to be addressed. The amendment, which replaces the bill, brings the daily rate from \$50 per day to \$125 per day which more accurately reflects the actual cost of incarceration. The association of counties states that there will be no added cost to the counties and the committee believes that it will also reduce costs to the counties. Vote 14-0.

**Amendment (0100h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the discharge of a person committed for nonpayment of a fine.

Amend the bill by replacing all after the enacting clause with the following:

1 Discharge of Person Committed in Default of Payment of Fine. Amend RSA 618:8 and 618:9 to read as follows:

618:8 At End of Term, or on Payment of Balance. Any person sentenced conditionally to pay a fine or to be imprisoned for a term shall be discharged at the expiration of the term, and may be discharged at any time on payment of the balance of the fine, after deducting [~~\$50~~] **\$125** for each day such person has been imprisoned under the sentence.

618:9 Committal for Nonpayment; Term. Whenever a person is committed to a county correctional facility in default of payment of a fine imposed by a justice of a superior court or a district court, he or she shall be discharged from custody by the superintendent thereof at the expiration of a number of days after the date of his or her commitment equal to one day for each [~~\$50~~] **\$125** of the fine so imposed. The superintendent shall keep a record of all discharges made under the provisions of this section.

2 Effective Date. This act shall take effect January 1, 2017.

**AMENDED ANALYSIS**

The bill increases the daily amount deducted for a person who is committed for nonpayment of a fine. Referred to the Committee on Ways and Means.

**HB 1675-FN-A**, relative to the legalization and taxation of marijuana. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill would legalize the possession of 2.2 pounds of marijuana for personal use for persons over the age of 18, license wholesale and retail sale of marijuana, and create marijuana retail sales cultivation and testing facilities. It would allow the cultivation of 6 plants for personal use and establish a \$30 per ounce tax on marijuana at the wholesale level. The committee felt that adopting this bill would send the wrong message during the time of an opioid crisis and that the amount legalized is excessive, allowing those under 18 ample ways to obtain this federally illegal drug. Vote 14-1.

**HB 1351**, relative to the laws governing chartered public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. This bill would require all charter schools to comply with the same laws and rules governing regular public schools. The members of the House Education recognized this bill would destroy the concept of charter schools and they would cease to exist. Vote 19-0.

**HB 1485**, relative to private rights of action under the pupil safety and violence prevention act. **INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for Education. This bill grew out of a case of bullying in which the school principal ignored the situation. The proposed remedy, however, would expose the school district to many lawsuits and massive legal bills. Suits could be brought whenever a parent was not satisfied with the district remedy, or even unaware of the remedy. Vote 18-2.

**HB 1652-FN-A**, establishing a teacher preparation for mathematics education scholarship program. **REFER FOR INTERIM STUDY.**

Rep. Mary Heath for Education. The Education Committee finds unanimously that this bill needs further research, reviews and development. The committee recognizes the difficulty in securing qualified mathematics educators and that the NH Department of Education lists "Mathematics Educator" on the critical shortage list and has done so for over ten years. The committee also recognizes the need to fully engage the NH University System Teacher Preparation Programs in the design of a plan

to increase the numbers of qualified math educators in our schools. Furthermore, after a review of student math scores over the last ten years and the impetus to improve such scores, the committee requests Interim Study with regard to the most effective ways to recruit and attract mathematic teachers and to explore a variety of options from scholarships to loan forgiveness to increase the number of math educators. Vote 20-0.

**HB 1667-FN-L**, repealing the statutes authorizing the department of education. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Wolf for Education. The NH Department of Education has many roles, such as the oversight of higher education, standards and certification, school building aid, educational credentialing and career school licensing. This bill would eliminate the DOE's role in each of these areas. Vote 19-0.

**HB 1292**, relative to the use of abandoned agricultural property. **OUGHT TO PASS.**

Rep. Michele Peckham for Environment and Agriculture. RSA 674:32-b, the Right to Farm statute, refers to the "disuse" of farmland in two places. This bill simply changes the word "disuse" to "abandonment" in order to protect farmers who, through no fault of their own, let their land fall into disuse for a season because of illness, accident, or generational transfer of the farm. The word "abandonment" implies that the farmer left without an intent to come back to farming. Vote 17-0. Referred to the Committee on Municipal and County Government.

**HB 1404-FN**, relative to certain director positions in the insurance department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is a request of the Insurance Department and constitutes a housekeeping action, allowing the department to manage several already existing positions in a more efficient manner. This change will enable the department to more effectively and competitively recruit staff replacements in the future. Vote 15-1.

**Amendment (0079h)**

Amend the bill by replacing sections 1 and 2 with the following:

1 Insurance Department; Department Positions. Amend RSA 400-A:6, VII to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, *a director of examinations, a life, accident and health director, a life, accident and health actuary, a health policy legal counsel*, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, *a property and casualty director, a property and casualty actuary*, an assistant property and casualty actuary, *workers' compensation analyst*, a compliance and enforcement counsel, *a communications director*, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The *director of examinations, life, accident and health director, life, accident and health actuary, health policy legal counsel*, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, *property and casualty director, property and casualty actuary*, assistant property and casualty actuary, *workers' compensation analyst*, compliance and enforcement counsel, *communications director*, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

2 Insurance Department; Department Positions. RSA 400-A:6, VII is repealed and reenacted to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, a director of examinations, a life accident and health director, a life, accident and health actuary, a health policy legal counsel, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, a property and casualty director, a property and casualty actuary, an assistant property and casualty actuary, a workers' compensation analyst, a compliance and enforcement counsel, a financial examination supervisor, a communications director, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The director of examinations, life, accident and health director, life, accident and health actuary, health policy legal counsel, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, property and casualty director, property and casualty actuary, assistant property and casualty actuary, workers' compensation analyst, compliance and enforcement counsel, communications director, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

Referred to the Committee on Finance.

**HB 1556-FN**, relative to Lucky 7 tickets. **REFER FOR INTERIM STUDY.**

Rep. Jeffrey Goley for Executive Departments and Administration. This bill would increase the maximum price for a Lucky 7 ticket from \$.50 to \$1, increase the hours of sales of Lucky 7 tickets, and increase the deal fee. This bill is very similar to HB 1545 which is currently in the Ways and Means Committee, so the sponsor and majority of the ED&A Committee agreed to refer the bill for Interim Study. Vote 15-1.

**HB 1594-FN**, relative to emergency medical services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill amends the regulation of emergency medical care providers so that it is more in line with the regulation of other medical professions. It provides increased safety to patients by requiring a criminal history record check for licensure and expanding the grounds for license revocation. It also allows emergency medical providers to work in all licensed health care facilities in addition to hospitals. Vote 14-1.

**Amendment (0192h)**

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8, respectively:

7 Emergency Medical Services; Definitions. Amend RSA 153-A:2, XI to read as follows:

XI. "Facility" means a hospital as defined in RSA 151:2, I(a) *and* (d).

Referred to the Committee on Criminal Justice and Public Safety.

**HB 1671-FN**, establishing an office of inspector general. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. This bill seeks to create an office of Inspector General. This office would be tasked with the initiation of inspections to address fraud and abuse. The office would also be the agency to receive any criminal complaints regarding abuse by government. Sponsors of the bill expressed support for another bill with a similar purpose. The similar bill, HB 1433, establishes an Office of Ombudsman in the Department of State. The committee would like to work further on this concept and therefore believes that HB 1671 is not necessary. Vote 14-0.

**HB 1373-FN**, adding 2 alternative treatment centers under the law governing use of cannabis for therapeutic purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The medical cannabis law is still in the early implementation stage. The committee felt it was inappropriate at this time to consider changes to the law. Following full implementation and evaluation of the program, recommended changes may be suggested to the medical cannabis council for consideration. Vote 15-0.

**HB 1520**, relative to the membership of the medical review subcommittee. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill is not necessary because the intent to increase the membership of the medical review subcommittee by adding 2 additional physician members was accomplished in SB 576 (Chapter 2, Laws of 2016) which was signed into law in January this year. Vote 16-0.

**HB 1550-FN**, relative to the duties of the ombudsman. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. Although well meaning, this bill would expand the duties of the Ombudsman Office of the Department of Health and Human Services to investigate any complaints against the office from not only clients and caregiver, but to any family member. The Office of the Ombudsman is fully staffed and timely investigates complaints. It was the finding of the committee that this level of involvement was not necessary and would add significant costs to the program. Vote 18-0.

**HB 1565-FN**, relative to transportation companies under the Medicaid managed care program. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. It is the opinion of the committee that this bill would be better handled as a contractual issue. This determination came as the result of lengthy debate from numerous presenters. There is no need for legislation. Vote 15-1.

**HB 1573-FN**, relative to brokers arranging transportation for Medicaid patients. **INEXPEDIENT TO LEGISLATE.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill which gives first priority to in-state transportation companies, is unclear as to which programs it impacts, whether

it applies to who gets first priority when contracting with providers, or scheduling transits. Also discriminating against out-of-state providers will institute a violation of medicaid and Medicare statutes and could threaten receiving federal matching funds. Vote 15-1.

**HB 1668-FN**, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a registry of persons convicted of heroin-related offenses. The vast majority of testimony was against the bill, including from the NH Department of Safety. The committee felt the bill would create an undue hardship for people trying to reclaim their life through treatment or rehabilitation. Vote 15-0.

**HB 1574-FN-A**, relative to the penalty assessment fund and requiring payment into the penalty assessment for persons performing court-mandated community service. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph Hagan for Judiciary. Under current law, clerks of each court collect penalty assessments and distribute 66.6% to New Hampshire Police Standards and Training (Police Academy) and the remaining 33.3% equally to the Victim's Assistance Fund and Judicial Branch Information Technology Fund, the latter which funds the E-court initiatives. This bill would remove the Judicial Branch Information Technology Fund from the revenue stream of penalty assessments, putting the modernization of the courts at risk. The committee recognized the need for funding police training but not at the expense of modernizing court processes in the computer age. In addition, this bill would have assessed a \$2.00 per hour penalty for community service which the committee felt violated the spirit of assessing service in lieu of fine. Vote 16-0.

**HB 1611-FN-L**, allowing a public body or agency to charge a fee for costs of retrieving public records under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill would allow a public body to charge for the cost of retrieving, copying and redacting confidential and other exempt information requested under the right-to-know law. While the majority believes there should be a limit to excessive requests under RSA 91-A, the committee felt public bodies currently have the ability to fend off frivolous requests. The bill as written would create a barrier to government transparency. Vote 16-1.

**HB 1531**, permitting the legislature to open the state house on weekends. **OUGHT TO PASS.**

Rep. Stephen Shurtleff for Legislative Administration. This bill would allow the New Hampshire legislature to enter into a memorandum of understanding with a non-profit entity to enable the New Hampshire State House to be open on Saturdays. The memorandum would address issues including security, staffing, hours of operation, and janitorial services. All expenses incurred would be borne by the non-profit entity. The final memorandum must be approved by the Joint Facilities Committee before Saturday openings would be permitted. Vote 9-0.

Referred to the Committee on Finance.

**HB 1602-FN-A-L**, establishing a road usage fee and making an appropriation therefor. **REFER FOR INTERIM STUDY.**

Rep. Mark McConkey for Public Works and Highways. The bill evolved from a mechanism to create a fair and level playing field for alternative fuel vehicles to ensure owners of these vehicles pay their fair share for using New Hampshire's roads and bridges. While many feel this concept should be adopted the proposed bill evolved into what some consider a way to raise extra revenue for the Department of Transportation. The proposed bill would not only level the playing field for alternative fuel vehicles but would have raised fees on so-called high mileage vehicles. The full committee supports a recommendation of Interim Study. Vote 18-0.

**HB 1291**, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith Spang for Resources, Recreation and Development. This bill addresses the process by which the federal government acquires land in New Hampshire. The committee felt that adding a vote of the General Court to the approval process that already includes the Governor and Council, the Department of Resources and Economic Development (DRED), and a local municipal vote is excessive. The proposed advisory board of five landowners to review federal land acquisition



would not include membership specifically from the area involved. The current process is thorough. DRED evaluates the terms and conditions of acquisitions and adherence to NH statutory limits on the amount of land the federal government can own in the state. The percentage of a municipality's total assessed valuation that the federal government may own is being addressed by another House bill. Vote 16-0.

**HB 1536-FN-A**, relative to funding for search and rescue operations of the fish and game department, and applying resident fishing licenses to use by the purchaser's family. **INEXPEDIENT TO LEGISLATE.** Rep. David Russell for Resources, Recreation and Development. The funding for search and rescue operations by the Fish and Game Department comes from boat, snowmobile, and OHRV registrations. If there is a shortfall, the department pays for the remainder using hunting and fishing license revenue. Removing this dedicated source of funding and replacing it with an appropriation from the General Fund was not seen as a stable source of revenue for the program and also loses out on any future revenue growth from increased numbers of registrations. Testimony from the department shows that the Search and Rescue Fund will close without a deficit. Regarding the part of the bill creating a family-fishing license, children under 16 already do not need a license to fish. Such a license would also create a challenge for enforcement, requiring conservation officers to verify the marital status of an adult fishing under another person's license. Vote 17-0.

**HB 1149**, requiring a royalty on the price of natural gas conveyed by pipeline intended for use in a foreign country. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill seeks to compensate property owners directly affected by any pipeline or utility company by charging a royalty on all natural gas specifically exported for use in a foreign country. This would be in addition to any compensation previously given to the landowners by the transmission company. The committee heard testimony that this could be in direct contradiction to the Commerce Clause of the US Constitution on those projects that are interstate. Although a few states do charge royalties on gas production, there is no production within New Hampshire. Pipeline companies do not own the gas; they are merely a transporter of product. Although well-intended, additional fees would be passed on to all ratepayers. For these reasons, the committee cannot support this bill. Vote 18-0.

**HB 1337**, relative to rules of the public utilities commission on requiring deposits after disconnect notices to customers. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill seeks to prohibit a utility from requiring a deposit from a customer who received a disconnect notice. Testimony indicated that current Public Utilities Commission rules permit waivers to low-income customers and allow deposits to be paid in up to three installments. Utility representatives testified that this legislation might make them reluctant to work with customers. Should customers default on their deposits, other ratepayers would be left having to pay for delinquent accounts. The bill also opens the door to limiting deposits for commercial customers. Deposits are a long-standing utility best practice. At least one utility has suspended deposits pending a review of their usefulness. Vote 19-0.

**HB 1352-FN**, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank Byron for Special Committee on Public Employee Pension Plans. The bill as amended clarifies the retiree compensation data reporting requirements and penalty assessment criteria applied by the New Hampshire Retirement System (NHRS). The bill clarifies that retirees who receive compensation while serving in an elected capacity are not required to report. The bill further specifies that before a penalty is levied by NHRS a municipality will be afforded an opportunity to show cause why a penalty is not warranted. Vote 10-0.

#### **Amendment (0250h)**

Amend the bill by replacing section 1 with the following:

1 Retirement System; Compensation Data Reporting; Penalty. Amend RSA 100-A:16, VII to read as follows:

VII.(a) Every employer shall report to the retirement system monthly, in a format provided by the retirement system, all compensation paid by the employer to retired members of the retirement system, including the name of, and the total hours worked, for each retired member of the retirement

system, except that an employer shall not include in the report the compensation and hours worked by a retiree for serving as an elected state official or as an elected official of a political subdivision ***in either a group I or group II position.***

(b) Notwithstanding any other provision of law, employers ~~[shall]~~ ***may*** be subject to a penalty of ***up to \$25*** per day for non-compliance with the data reporting requirements of subparagraph (a), including data that was not timely remitted or data that cannot be processed at the times designated by the board of trustees due to data reporting errors by the employer. ~~{The board may abate all or any part of the penalty upon}~~ ***Before a penalty is assessed, the board shall notify the employer in writing of the noncompliance, identifying the reasons for the finding of noncompliance, and shall request the employer to explain to the board in writing within 30 days of the notification how the noncompliance occurred. Upon expiration of the 30 day period, the board may impose all or a portion of the penalty provided for in this paragraph, unless there is a showing that the employer did not willfully, intentionally, through gross negligence, or through a pattern of negligence fail to file the data as required.***

#### AMENDED ANALYSIS

This bill requires the retirement system board of trustees to give employers notice and an opportunity to explain before the penalty for retirement system employer noncompliance with the data reporting requirements may be assessed.

Referred to the Committee on Finance.

**HB 1672-FN-A-L**, relative to excess federal matching funds, property tax relief, and general fund appropriations. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. The bill, as written, provides for the transfer of any excess above \$100 million in the Revenue Stabilization Reserve Account (Rainy Day Fund) be used for property tax relief for low-income NH residents. The bill gave no specifics on how this would be administered and both the Department of Treasury and the Department of Revenue Administration expressed concern with its methodology. Vote 20-0.

#### REGULAR CALENDAR

**HB 1551-FN-A**, establishing the John and Molly Stark scholarship program and making an appropriation therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Gile for the Majority of Education. This bill as amended establishes the John and Molly Stark Scholarship program to provide public postsecondary education and training opportunities to every graduate of a NH public secondary school by providing a one half-tuition scholarship for a maximum of three years. Applicants must be a New Hampshire resident and shall maintain a 2.75 grade point average. Scholarship recipients shall be required to work in New Hampshire for a minimum of four years after graduation, or shall repay the scholarship amount received in full. Vote 16-2.

Rep. Glenn Cordelli for the Minority of Education. The minority is concerned with the requirement for the scholarship recipient to work in New Hampshire for four years after graduation. How will recipients be tracked as to their place of employment? Will the Department of Education continue tracking students through college and future employment? In addition, what if the recipient decides to join the military? Would that require a scholarship repayment? The intent is good, but there are problems with the future execution.

#### Majority Amendment (0182h)

Amend RSA 21-N:8-c, III as inserted by section 2 of the bill by replacing it with the following:

III. Applicants who are selected to receive a scholarship under this program shall maintain a 2.75 grade point average and meet such other criteria as may be established in this section. Applicants selected shall receive a 1/2 tuition scholarship for the applicable tuition and fees, reduced by the amount of any other scholarship aid they may receive. The scholarship shall be for a maximum of 3 years. Scholarship recipients shall be required to work in the state of New Hampshire for a minimum of 4 years after graduation or shall repay the scholarship amount received in full.

Rep. Cordelli spoke against and yielded to questions.

Rep. Gile spoke in favor.

Rep. Ladd yielded to questions.

On a division vote, with 223 members having voted in the affirmative and 114 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 205 members having voted in the affirmative and 139 in the negative, the majority committee report was adopted and referred to the Committee on Finance.

**HB 1561-FN**, relative to freedom of expression on college campuses. **REFER FOR INTERIM STUDY.**

Rep. Ralph Boehm for Education. The committee is in favor of freedom of speech. There are some good aspects to this bill, but there are concerns with sections of the bill that require more study, including cost impacts to the University and Community College System. Vote 14-3. Committee report adopted.

**HB 1563-FN-L**, relative to funding for full-day kindergarten pupils. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Heath for the Majority of Education. This bill does not mandate, or require school districts to provide full day kindergarten, nor does it require mandatory kindergarten attendance. This bill provides full day kindergarten programs with "Average Daily Membership in Attendance" or ADMA. The Education Committee heard overwhelming testimony in favor of this bill with no one from the public opposing the bill. NH mandates that all NH school districts provide the opportunity for public kindergarten. This bill simply provides full day programs with ADMA and gives those districts making that full day commitment to its five year olds the same benefit it provides in grades 1-12. This bill also offers the same effort within our Public Charter Schools. Vote 10-9.

Rep. Terry Wolf for the Minority of Education. Many communities in NH offer full-day kindergarten. The minority feels adjustments to the adequacy formula, such as fully funding catastrophic and building aid is a better way to support ALL school districts. There is also concern changing the formula from half-day to full-day kindergarten would create the perception of a mandate and lead to the elimination of successful part-time programs.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Ladd spoke against and yielded to questions. Rep. Luneau spoke in favor and yielded to questions.

Rep. Myler spoke in favor and requested a roll call; sufficiently seconded.

## YEAS 157 NAYS 200

### YEAS - 157

#### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

#### COOS

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

#### GRAFTON

Abel, Richard  
Cooney, Mary  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
White, Andrew

Bennett, Travis  
Hennessey, Martha  
Smith, Suzanne

Brown, Rebecca  
Higgins, Patricia  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
DiSilvestro, Linda  
Gidge, Kenneth  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel

Baroody, Benjamin  
Cohen, Alan  
Donovan, Daniel  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter  
McNamara, Richard  
Roberts, Carol  
Smith, Timothy  
Vann, Ivy

Beaulieu, Jane  
Cornell, Patricia  
Edwards, Elizabeth  
Gorman, Mary  
Heath, Mary  
Long, Patrick  
O'Brien, Michael  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

Booras, Efstathia  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Mangipudi, Latha  
O'Neil, William  
Shattuck, Gilman  
Soucy, Timothy  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Deloge, Helen  
French, Barbara  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

Bradley, Paula  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rice, Chip  
Shurtliff, Stephen

Brewster, Michael  
Ebel, Karen  
Henle, Paul  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Berrien, Skip  
Cardon, G. Thomas  
Francese, Paula  
Lovejoy, Patricia  
Simpson, Alexis

Borden, David  
Cushing, Robert  
Friel, William  
McBeath, Rebecca  
Ward, Gerald

Cahill, Michael  
DiFranco, Debbie  
Gordon, Pamela  
Pantelakos, Laura

Cali-Pitts, Jacqueline  
Elliott, Robert  
Heffron, Frank  
Sherman, Thomas

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Spang, Judith  
Verschueren, James

Bickford, David  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Bixby, Peter  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

**NAYS - 200****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Luther, Robert  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter  
Varney, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Flanders, Donald  
LeBreche, Shari  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
Wright, Ted

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Ladd, Rick

Brown, Duane  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ingbretson, Paul  
Shackett, Jeffrey

Gionet, Edmond  
Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Flanagan, Jack  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Schleien, Eric  
Smith, Gregory  
Sullivan, Victoria

Ammon, Keith  
Boehm, Ralph  
Christiansen, Lars  
Edelblut, Frank  
Fromuth, Bart  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Scountsas, Lisa  
Souza, Kathleen  
Ulery, Jordan

Balcom, John  
Burt, John  
Christie, Rick  
Estevez, Eric  
Gagne, Larry  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Stepanek, Stephen  
Wolf, Terry

Belanger, James  
Byron, Frank  
Coffey, James  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Infantine, William  
Martel, Andre  
Moore, Josh  
O'Brien, William  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Straight, Phillip

**MERRIMACK**

French, Harold  
Kidder, David  
Martin, John  
Seaworth, Brian

Hill, Gregory  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

Horn, Werner  
Marple, Richard  
Parent, Jason

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Chase, Francis  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Spillane, James  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

Abramson, Max  
Barnes, Arthur  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne  
Woitkun, Steven

Allen, Mary  
Bates, David  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Manning, John  
Miltz, David  
Packard, Sherman  
Rice, Frederick  
Sytek, John  
True, Chris  
Webb, James

Azarian, Gary  
Belanger, Ronald  
Cook, Allen  
Doucette, Fred  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Tasker, Kyle  
Tucker, Pamela  
Welch, David

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Pitre, Joseph

**SULLIVAN**

Laware, Thomas                      Rollins, Skip  
and the majority committee report failed.

Rep. Ladd moved the minority committee report of Inexpedient to Legislate.  
Rep. Eaton requested a roll call; sufficiently seconded.

**YEAS 205    NAYS 152****YEAS - 205****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Luther, Robert  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter  
Varney, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Flanders, Donald  
LeBreche, Shari  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
Wright, Ted

**CHESHIRE**

Hunt, John

Johnsen, Gladys

McConnell, James

Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Ladd, Rick

Brown, Duane  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ingbretson, Paul  
Shackett, Jeffrey

Gionet, Edmond  
Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Infantine, William  
Martel, Andre  
Moore, Josh  
O'Brien, William  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Straight, Phillip

Ammon, Keith  
Boehm, Ralph  
Christiansen, Lars  
Donovan, Daniel  
Flanagan, Jack  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Schleien, Eric  
Smith, Gregory  
Sullivan, Victoria

Balcom, John  
Burt, John  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Scoutsas, Lisa  
Souza, Kathleen  
Ulery, Jordan

Belanger, James  
Byron, Frank  
Coffey, James  
Estevez, Eric  
Gagne, Larry  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Stepanek, Stephen  
Wolf, Terry

**MERRIMACK**

French, Harold  
Kidder, David  
Marple, Richard  
Parent, Jason

Hill, Gregory  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

Hoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Horn, Werner  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
 Baldasaro, Alfred  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Duarte, Joe  
 Fesh, Robert  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Matthews, Carolyn  
 Nigrello, Robert  
 Peckham, Michele  
 Schroadter, Adam  
 Tasker, Kyle  
 Tucker, Pamela  
 Welch, David

Abramson, Max  
 Barnes, Arthur  
 Chirichiello, Brian  
 DeSimone, Debra  
 Elliott, Robert  
 Gannon, William  
 Guthrie, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 McKinney, Betsy  
 O'Connor, John  
 Potucek, John  
 Spillane, James  
 Thomas, Douglas  
 Vose, Michael  
 Weyler, Kenneth

Allen, Mary  
 Bates, David  
 Christie, Andrew  
 Devine, James  
 Emerick, J. Tracy  
 Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Lundgren, David  
 McMahon, Charles  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Sweeney, Joe  
 Tilton, Rio  
 Ward, Joanne  
 Woitkun, Steven

Azarian, Gary  
 Belanger, Ronald  
 Cook, Allen  
 Doucette, Fred  
 Ferrante, Beverly  
 Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Manning, John  
 Milz, David  
 Packard, Sherman  
 Rice, Frederick  
 Sytek, John  
 True, Chris  
 Webb, James

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Turcotte, Leonard

Cheney, Catherine  
 Groen, Warren  
 Leeman, Don  
 Wuelper, Kurt

DeLemus, Susan  
 Hannon, Joseph  
 Mullen, John

Graham, Robert  
 Jones, Laura  
 Pitre, Joseph

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 152****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 Parkhurst, Henry  
 Robertson, Timothy  
 Tilton, Benjamin

Ames, Richard  
 Eaton, Daniel  
 Pearson, William  
 Sad, Tara  
 Weber, Lucy

Berch, Paul  
 Ley, Douglas  
 Phillips, Larry  
 Shepardson, Marjorie

Bordenet, John  
 Mann, John  
 Roberts, Kris  
 Tatro, Bruce

**COOS**

Froburg, Alethea  
 Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
 Cooney, Mary  
 Maes, Kevin  
 Townsend, Charles

Almy, Susan  
 Ford, Susan  
 Massimilla, Linda  
 White, Andrew

Bennett, Travis  
 Hennessey, Martha  
 Smith, Suzanne

Brown, Rebecca  
 Higgins, Patricia  
 Sykes, George

**HILLSBOROUGH**

Backus, Robert  
 Brown, Pamela  
 DiSilvestro, Linda  
 Goley, Jeffrey  
 Harvey, Suzanne  
 Leishman, Peter  
 McNamara, Richard  
 Roberts, Carol  
 Smith, Timothy  
 Vann, Ivy

Baroody, Benjamin  
 Cohen, Alan  
 Edwards, Elizabeth  
 Gorman, Mary  
 Heath, Mary  
 Long, Patrick  
 O'Brien, Michael  
 Rosenwald, Cindy  
 Snow, Kendall  
 Williams, Kermit

Beaulieu, Jane  
 Cornell, Patricia  
 Freitas, Mary  
 Guerette, C. Lee  
 Herbert, Christopher  
 Mangipudi, Latha  
 O'Neil, William  
 Shattuck, Gilman  
 Soucy, Timothy  
 Woodbury, David

Booras, Efstathia  
 Cote, David  
 Gidge, Kenneth  
 Hansberry, Daniel  
 Jack, Martin  
 Manley, Jonathan  
 Porter, Marjorie  
 Shaw, Barbara  
 Sullivan, Daniel

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Rogers, Katherine	Saunderson, George
Schuetz, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Francesse, Paula
Friel, William	Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Ward, Gerald			

**STRAFFORD**

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

and the minority committee report was adopted.

**HB 1604-FN-A-L**, relative to exceptional student education programs and providing funding therefor.  
**OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Wolf for Education. This bill as amended identifies and places into statute specific instructional methods designed to advance students to higher-levels of work once they demonstrate knowledge and skill mastery, rather than advancing based upon seat time in the classroom. For example, all students in a 6th grade classroom do not necessarily belong in a 6th grade math book or program. Some may be below and others may be ready for pre-algebra. How schools structure and organize the delivery of instruction is the key to educational success. This bill references basic instructional methods that once established, will result in higher levels of student achievement. The key to student success revolves around quality instruction and creative delivery models providing a challenging curriculum. This not only applies to gifted students, but to all. Struggling students must receive support prior to their being placed unprepared in the next grade level in an effort to prevent later failure. The bill as amended addresses challenging instructional design, and can be accomplished without the need for additional differentiated aid as the introduced bill had proposed. Vote 19-2.

**Amendment (0160h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment Program; Statement of Purpose. Amend RSA 193-C:1, III to read as follows:

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of educational standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and



implement *instructional* methods to enable students to acquire and apply the requisite knowledge and skills. ***Implemented instructional methods designed to enable students to acquire and apply the requisite knowledge and skills shall include but not be limited to:***

(a) *Advancing students to higher level work once they demonstrate knowledge and skill and mastery of competency, rather than advancing based upon seat time in the classroom.*

(b) *Providing support to struggling students before they advance in an effort to prevent later failure.*

(c) *Keeping all students on pace to graduate and to ensure those below level make progress.*

(d) *Promoting innovative learning that has meaning to students, cuts across multiple curriculum areas, and includes varied learning pathways.*

(e) *Graduating students with deeper college and career ready skills.*

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill specifies instructional methods designed to enable students to acquire and apply requisite knowledge and skills.

Committee amendment adopted.

Rep. Ladd offered floor amendment (0409h).

#### Floor Amendment (0409h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment Program; Statement of Purpose. Amend RSA 193-C:1, III to read as follows:

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of educational standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and implement *instructional* methods to enable students to acquire and apply the requisite knowledge and skills. ***Implement instructional methods designed to enable students to acquire and apply the requisite knowledge and skills shall include but not be limited to:***

(a) *Advancing students to higher level work once they demonstrate knowledge and skill and mastery of competency, rather than advancing based upon seat time in the classroom.*

(b) *Providing support to struggling students before they advance in an effort to prevent later failure.*

(c) *Keeping all students on the path to graduate and to ensure those below level make progress.*

(d) *Promoting innovative learning that has meaning to students, cuts across multiple curriculum areas, and includes varied learning pathways.*

(e) *Graduating students with deeper college and career ready skills.*

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill specifies instructional methods designed to enable students to acquire and apply requisite knowledge and skills.

Rep. Ladd spoke in favor and yielded to questions.

Floor amendment (0409h) adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 1630-FN-L**, relative to calculating the base cost of an adequate education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Wolf for Education. The bill as amended addresses policy needs and costs relative to calculating an adequate education. This legislation is a result of subcommittee and full education committee work throughout the summer, fall and to this date. Element priorities within the bill include:

(1) working with the Department of Education and the Legislative Budget Assistant to develop an

adequacy formula premised upon sound policy and realistic fiscal constraints to include projected data based upon estimated populations for FY18, (2) to increase the base adequacy amount by \$8.00 per pupil and to allocate this modest amount to professional development to support and enhance quality of instruction. Using preliminary FY17 data, base adequacy for FY18, to include adjustments for CPI, would be \$3640.92, (3) funding to support non proficient third grade students who are not eligible to receive other forms of differentiated aid, (4) reinstatement of fiscal disparity for those municipalities in the lower quartile that have the lowest capacity to raise property tax revenue as long as the municipality's median family income (based upon US Bureau of Census) is less than the state average, (5) fiscal disparity and stabilization based on the 2012 stabilization grant amount received and then annually reducing only the amount of stabilization by 4% as stated in current law, and (6) for each fiscal year following FY17, as currently stated in statute, the education grant is no longer capped. In comparing FY18 adequacy funding for education based upon the state grant formula in current law, to the state grant based on the proposed bill, the increase is slightly more than \$8M. This bill is projected to be effective for Fiscal Year 2018. The overwhelming majority of the house education committee supports this legislation that reasonably balances policy and appropriation considerations. Vote 18-1.

### Amendment (0376h)

Amend the bill by replacing all after the enacting clause with the following:

1 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, I to read as follows:

I. Beginning July 1, 2009, and for every biennium thereafter, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be [~~\$3,450~~] **\$3,458** per pupil attending a public school, plus any applicable differentiated aid for which a pupil is eligible. Differentiated aid shall be in the amount of \$1,725 for each pupil in the public school's ADMA in the determination year who is in kindergarten through grade 12 and who is eligible for the federal free and reduced-price meal program.

2 School Money; Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, II-a to read as follows:

II-a. An additional [~~\$675~~] **\$697** for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading [~~component~~] **and mathematics components** of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year.

3 New Section; School Money; Fiscal Capacity Disparity Aid. Amend RSA 198 by inserting after section 40-c the following new section:

198:40-cc Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each biennium the department shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts and to charter schools approved under RSA 194-B:3-a as follows:

(a) The department shall calculate the equalized valuation per pupil for each municipality in the state and shall sort the results into quartiles based on equalized valuation per pupil and shall divide all quartiles in half. If there are an uneven number of municipalities in a quartile or half quartile, the department shall make the lower quartile or half quartile the one with fewer municipalities.

(b) A municipality with an equalized valuation per pupil in the lower half of the lowest quartile and which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$2,000 multiplied by the municipality's average daily membership in attendance.

(c) A municipality with an equalized valuation per pupil in the upper half of the lowest quartile which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$1,200 multiplied by the municipality's average daily membership in attendance shall be distributed pursuant to RSA 198:42.

II. Except as otherwise provided in this section, fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

III. In this section:

(a) "Equalized valuation per pupil" means a municipality's equalized valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 average daily membership in attendance.

(b) "Median family income" means the most recent census data published for New Hampshire counties and municipalities by the United States Department of Commerce, Census Bureau, as of October 1 preceding the beginning of the biennium for which aid is to be determined.

4 School Money; Determination of Adequate Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d)(I) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter.

*(2) For fiscal year 2018 and each fiscal year thereafter, no municipality which is eligible to receive fiscal capacity disparity aid pursuant to RSA 198:40-cc shall receive a stabilization grant which is less than the amount of the municipality's 2018 stabilization grant, less 4 percent.*

5 Effective Date. This act shall take effect July 1, 2017.

### AMENDED ANALYSIS

This bill increases the amount of per pupil adequacy aid, increases the amount of aid to certain third grade pupils, and provides fiscal capacity disparity aid to certain school districts.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 1638-FN-L**, relative to the allocation of lottery revenues to schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Education. The committee recommends ITL for several reasons: first the lack of clarity in regards to being able to separate the monies of the lottery, which are already pooled into a general fund creating a large deficit in already designated funding. Secondly, it would require private schools to disclose private information and change many of their current operating procedures. Finally, it would require the creation of new staff of the NH Department of Education to handle the dispensing of funds. Vote 16-2.

### MOTION TO LAY ON THE TABLE

Rep. Leeman moved that **HB 1638-FN-L**, relative to the allocation of lottery revenues to schools, be laid on the table.

On a division vote, with 158 members having voted in the affirmative and 188 in the negative, the motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate. Committee report adopted.

**HB 1644-FN**, relative to screening and treatment for dyslexia and related disorders and establishing a reading specialist in the department of education. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Balcom for the Majority of Education. The majority of the committee felt that the early identification of dyslexia was important enough to pass this bill. Testimony from parents, educators, practitioners and students provided evidence that current policies within our NH school districts are allowing students to lose valuable years of learning before being identified their dyslexia. The coordinator of DOE is necessary to oversee training of evaluators and successful implementation of this process. Vote 11-8.

Rep. Ralph Boehm for the Minority of Education. This bill provides a new designated reading specialist at the Department of Education to assist students with dyslexia and related disorders. The bill further states that a student's school district shall provide best practices and support services for any student who is identified as having characteristics that are associated with dyslexia risk factors. Within grades 1-3, many schools currently administer screening assessments such as DIBELS and use test results to develop appropriate instruction. Students identified as possibly having a specific learning disability such as dyslexia, should be referred for a more thorough evaluation by trained special education specialists and if the student is determined to have dys-

lexia, a special education IEP is developed. Although all members of the education committee recognize the importance of providing early intervention instruction in reading, language or math for students diagnosed with dyslexia, there is a process currently in place to do this in accordance with established special education law. Lastly, children from birth to age five having learning disabilities are provided services through the Department of Health and Human Services. The exception is preschool special education that is administered by the New Hampshire Department of Education. This bill is duplicative of current programming and if the Department identifies the need for a reading specialist as a staffing priority, then the position should be designated to improve the quality of reading and language instruction for all students.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Boehm spoke against and yielded to questions.

Reps. Balcom and Ebel spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

## YEAS 186 NAYS 172

### YEAS - 186

#### BELKNAP

Fields, Dennis

Flanders, Donald

Tilton, Franklin

#### CARROLL

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Parker, Harold

Cordelli, Glenn

Crawford, Karel

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

#### COOS

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihn, Wayne

#### GRAFTON

Abel, Richard  
Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, Charles

Brown, Rebecca  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

#### HILLSBOROUGH

Adams, Christopher  
Beaulieu, Jane  
Cohen, Alan  
Donovan, Daniel  
Gorman, Mary  
Heath, Mary  
Jack, Martin  
Long, Patrick  
McNamara, Richard  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Zaricki, Nick

Backus, Robert  
Booras, Efstathia  
Cornell, Patricia  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
O'Brien, Michael  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene

Balcom, John  
Brown, Pamela  
Cote, David  
Gidge, Kenneth  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
O'Neil, William  
Rouillard, Claire  
Snow, Kendall  
Williams, Kermit

Baroody, Benjamin  
Christensen, Chris  
DiSilvestro, Linda  
Goley, Jeffrey  
Harvey, Suzanne  
Infantine, William  
Leishman, Peter  
McCarthy, Peggy  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Luneau, David  
 Patten, Dick  
 Sauderson, George  
 Wallner, Mary Jane

Bartlett, Christy  
 Deloge, Helen  
 French, Barbara  
 Karrick, David  
 MacKay, James  
 Ratzki, Mario  
 Schuett, Dianne

Bradley, Paula  
 Doherty, David  
 Gile, Mary  
 Kenison, Linda  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen

Brewster, Michael  
 Ebel, Karen  
 Henle, Paul  
 Kidder, David  
 Myler, Mel  
 Rogers, Katherine  
 Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
 Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Francese, Paula  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Sherman, Thomas

Berrien, Skip  
 Cardon, G. Thomas  
 Devine, James  
 Gordon, Pamela  
 Lundgren, David  
 Peckham, Michele  
 Simpson, Alexis

Borden, David  
 Christie, Andrew  
 DiFranco, Debbie  
 Heffron, Frank  
 McBeath, Rebecca  
 Prudhomme-O'Brien, Katherine  
 Tilton, Rio

Cahill, Michael  
 Cushing, Robert  
 Fesh, Robert  
 Hoelzel, Kathleen  
 McMahon, Charles  
 Schroadter, Adam  
 Ward, Gerald

**STRAFFORD**

Baber, William  
 Cilley, Jacalyn  
 Kaen, Naida  
 Southworth, Thomas  
 Treleven, Susan

Bickford, David  
 DiSesa, Len  
 Rollo, Deanna  
 Spang, Judith  
 Verschuere, James

Bixby, Peter  
 Gray, James  
 Schmidt, Peter  
 Sprague, Dale  
 Wall, Janet

Burton, Wayne  
 Horrigan, Timothy  
 Smith, Marjorie  
 Stevens, Audrey  
 Ward, Kenneth

**SULLIVAN**

Cloutier, John  
 Grenier, James  
 Schmidt, Andrew

Converse, Larry  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Oxenham, Lee

**NAYS - 172****BELKNAP**

Aldrich, Glen  
 Howard, Jr., Raymond  
 Sylvia, Michael

Dumais, Russell  
 LeBreche, Shari  
 Vadney, Herbert

Fraser, Valerie  
 Luther, Robert  
 Varney, Peter

Gallagher, Brian  
 Spanos, Peter

**CARROLL**

Avellani, Lino  
 McConkey, Mark  
 Wright, Ted

Chandler, Gene  
 Schmidt, Stephen

Comeau, Ed  
 Ticehurst, Susan

McCarthy, Frank  
 Umberger, Karen

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Troll, John

**GRAFTON**

Bailey, Brad  
 Hennessey, Erin  
 Ladd, Rick

Brown, Duane  
 Hull, Robert  
 Shackett, Jeffrey

Darrow, Stephen  
 Ingbertson, Paul

Gionet, Edmond  
 Johnson, Eric

**HILLSBOROUGH**

Ammon, Keith  
 Burt, John

Belanger, James  
 Byron, Frank

Biggie, Barbara  
 Christiansen, Lars

Boehm, Ralph  
 Christie, Rick

Coffey, James  
 Edwards, Elizabeth  
 Fromuth, Bart  
 Haefner, Robert  
 Hopper, Gary  
 McLean, Mark  
 O'Brien, William  
 Palmer, Barry  
 Pierce, David  
 Schleien, Eric  
 Souza, Kathleen  
 Ulery, Jordan

Danielson, David  
 Estevez, Eric  
 Gagne, Larry  
 Halstead, Carolyn  
 Lachance, Joseph  
 Moore, Josh  
 Ober, Lynne  
 Parison, James  
 Porter, Marjorie  
 Scontsas, Lisa  
 Stepanek, Stephen  
 Vann, Ivy

Eastman, Eric  
 Ferreira, Elizabeth  
 Gould, Linda  
 Hansen, Peter  
 Martel, Andre  
 Murotake, David  
 Ober, Russell  
 Pellegrino, Anthony  
 Rice, Kimberly  
 Seidel, Carl  
 Straight, Phillip  
 Wolf, Terry

Edelblut, Frank  
 Flanagan, Jack  
 Griffin, Barbara  
 Hogan, Edith  
 McClarren, Donald  
 Murphy, Keith  
 Ohm, Bill  
 Peterson, Ken  
 Rowe, Robert  
 Simmons, Tammy  
 Sullivan, Victoria

**MERRIMACK**

French, Harold  
 Kotowski, Frank  
 Martin, John  
 Seaworth, Brian

Hill, Gregory  
 Kuch, Bill  
 McGuire, Carol  
 Walsh, Thomas

Hoell, J.R.  
 Long, Douglas  
 McGuire, Dan

Horn, Werner  
 Marple, Richard  
 Parent, Jason

**ROCKINGHAM**

Abramson, Max  
 Barnes, Arthur  
 Chirichiello, Brian  
 Elliott, Robert  
 Gannon, William  
 Guthrie, Joseph  
 Itse, Daniel  
 Manning, John  
 Nigrello, Robert  
 Potucek, John  
 Sytek, John  
 Vose, Michael  
 Weyler, Kenneth

Allen, Mary  
 Bates, David  
 Cook, Allen  
 Emerick, J. Tracy  
 Gordon, Richard  
 Harris, Jeffrey  
 Kappler, Lawrence  
 Matthews, Carolyn  
 O'Connor, John  
 Rice, Frederick  
 Thomas, Douglas  
 Ward, Joanne  
 Woitkun, Steven

Azarian, Gary  
 Belanger, Ronald  
 Dean-Bailey, Yvonne  
 Ferrante, Beverly  
 Green, Dennis  
 Hodgdon, Bruce  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 Osborne, Jason  
 Spillane, James  
 True, Chris  
 Webb, James

Baldasaro, Alfred  
 Chase, Francis  
 Duarte, Joe  
 Friel, William  
 Griffin, Mary  
 Introne, Robert  
 Kolodziej, Walter  
 Milz, David  
 Packard, Sherman  
 Sweeney, Joe  
 Tucker, Pamela  
 Welch, David

**STRAFFORD**

Beaudoin, Steven  
 Groen, Warren  
 Leeman, Don  
 Whitehouse, Joshua

Cheney, Catherine  
 Hannon, Joseph  
 Mullen, John  
 Wuelper, Kurt

DeLemus, Susan  
 Jones, Laura  
 Pitre, Joseph

Graham, Robert  
 Kaczynski, Jr., Thomas  
 Turcotte, Leonard

**SULLIVAN**

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted and referred to the Committee on Finance.

**HB 1564-FN-A, establishing an independent redistricting commission. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. William Gannon for the Majority of Election Law. Under this bill, an independent commission would be appointed to create redistricting plans and recommend them to the legislature. The legislature would not be able to amend the first and second plans developed by the commission, though it could reject them. If two plans are rejected by the legislature, a third plan would be adopted using the usual legislative process. The process outlined by this bill is cumbersome and the timeframes are completely unrealistic. The majority does not see a need to change the current process for developing redistricting plans for state offices in New Hampshire. Vote 11-8.

Rep. Wayne Moynihan for the Minority of Election Law. This bill is a proactive proposal intended to get the NH House onto the task of preparing for the next round of legislative redistricting, after the census of 2020. It is generally acknowledged that the process and the result of the last NH Redistricting Committee, after the census of 2010, was problematic, involving lawsuits by cities,

towns, and legislators. The redistricting process undertaken after the 2000 census was followed up by time consuming, expensive, and contentious legal battles. It is reported that 80% of the population does not trust the process whereby legislators are in control of the process that determines the boundaries of the legislative districts in which they run for election. Other states have begun to study and adopt independent redistricting commissions, and the U. S. Supreme Court has recently found that such a plan is valid and constitutional. The committee minority believes it is wise policy and in the best interest of the citizens of the state to now begin the study, discussion, and design of an independent commission to manage the upcoming redistricting.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Moynihan spoke against.

Rep. Gannon spoke in favor.

Rep. Shurtleff requested a roll call; sufficiently seconded.

## YEAS 210 NAYS 151

### YEAS - 210

#### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
Luther, Robert  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter  
Varney, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Flanders, Donald  
LeBreche, Shari  
Tilton, Franklin

#### CARROLL

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
Wright, Ted

#### CHESHIRE

Hunt, John

McConnell, James

Sterling, Franklin

Tilton, Benjamin

#### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Tholl, John

#### GRAFTON

Bailey, Brad  
Hennessey, Erin  
Ladd, Rick

Brown, Duane  
Hull, Robert  
Shackett, Jeffrey

Darrow, Stephen  
Ingbretson, Paul

Gionet, Edmond  
Johnson, Eric

#### HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Flanagan, Jack  
Gould, Linda  
Hansen, Peter  
Infantine, William  
Martel, Andre  
Moore, Josh  
O'Brien, William  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Straight, Phillip  
Zaricki, Nick

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Schleien, Eric  
Smith, Gregory  
Sullivan, Victoria

Balcom, John  
Burt, John  
Coffey, James  
Estevez, Eric  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Scotsas, Lisa  
Souza, Kathleen  
Ulery, Jordan

Belanger, James  
Byron, Frank  
Danielson, David  
Ferreira, Elizabeth  
Gidge, Kenneth  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Stepanek, Stephen  
Wolf, Terry

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Long, Douglas  
McGuire, Dan  
Walsh, Thomas

French, Harold  
Kidder, David  
Marple, Richard  
Parent, Jason

Hill, Gregory  
Kotowski, Frank  
Martin, John  
Patten, Dick

Hoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Chase, Francis  
Dean-Bailey, Yvonne  
Duarte, Joe  
Fesh, Robert  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Manning, John  
Milz, David  
Packard, Sherman  
Rice, Frederick  
Sytek, John  
True, Chris  
Webb, James

Abramson, Max  
Barnes, Arthur  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Tasker, Kyle  
Tucker, Pamela  
Welch, David

Allen, Mary  
Bates, David  
Christie, Andrew  
Devine, James  
Emerick, J. Tracy  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Spillane, James  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

Azarian, Gary  
Cardon, G. Thomas  
Cook, Allen  
Doucette, Fred  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 151****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, Charles

Brown, Rebecca  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela

Baroody, Benjamin  
Christiansen, Lars

Beaulieu, Jane  
Cohen, Alan

Booras, Efstathia  
Cornell, Patricia



Cote, David  
 Freitas, Mary  
 Hansberry, Daniel  
 Jack, Martin  
 McNamara, Richard  
 Roberts, Carol  
 Smith, Timothy  
 Takesian, Charlene

DiSilvestro, Linda  
 Goley, Jeffrey  
 Harvey, Suzanne  
 Leishman, Peter  
 O'Brien, Michael  
 Rosenwald, Cindy  
 Snow, Kendall  
 Vann, Ivy

Donovan, Daniel  
 Gorman, Mary  
 Heath, Mary  
 Mangipudi, Latha  
 O'Neil, William  
 Shattuck, Gilman  
 Soucy, Timothy  
 Williams, Kermit

Edwards, Elizabeth  
 Guerette, C. Lee  
 Herbert, Christopher  
 Manley, Jonathan  
 Porter, Marjorie  
 Shaw, Barbara  
 Sullivan, Daniel  
 Woodbury, David

### MERRIMACK

Alicea, Caroletta  
 Deloge, Helen  
 French, Barbara  
 Karrick, David  
 Moffett, Howard  
 Rogers, Katherine  
 Turcotte, Alan

Bartlett, Christy  
 Doherty, David  
 Gile, Mary  
 Kenison, Linda  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Bradley, Paula  
 Ebel, Karen  
 Henle, Paul  
 Luneau, David  
 Ratzki, Mario  
 Schuett, Dianne

Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 MacKay, James  
 Rice, Chip  
 Shurtleff, Stephen

### ROCKINGHAM

Belanger, Ronald  
 Cali-Pitts, Jacqueline  
 Gordon, Pamela  
 Pantelakos, Laura

Berrien, Skip  
 Cushing, Robert  
 Heffron, Frank  
 Sherman, Thomas

Borden, David  
 DiFranco, Debbie  
 Lovejoy, Patricia  
 Simpson, Alexis

Cahill, Michael  
 Francese, Paula  
 McBeath, Rebecca  
 Ward, Gerald

### STRAFFORD

Baber, William  
 DiSesa, Len  
 Schmidt, Peter  
 Sprague, Dale  
 Wall, Janet

Bixby, Peter  
 Horrigan, Timothy  
 Smith, Marjorie  
 Stevens, Audrey  
 Ward, Kenneth

Burton, Wayne  
 Kaen, Naida  
 Southworth, Thomas  
 Treleven, Susan

Cilley, Jacalyn  
 Rollo, Deanna  
 Spang, Judith  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Irwin, Virginia

Converse, Larry  
 O'Heame, Andrew

Gagnon, Raymond  
 Oxenham, Lee

Gottling, Suzanne  
 Schmidt, Andrew

and the majority committee report was adopted.

**HB 1674-FN**, requiring the labeling of genetically engineered foods. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John O'Connor for the Majority of Environment and Agriculture. This bill, which the House has previously rejected, once again attempts to require food manufacturers, grocery retailers, and our farmers and farmers markets to label products that may have been produced or grown using genetic engineering - a process that has been in existence for over 30 years and has been deemed to be safe by the most respected and widely recognized academic, scientific and medical organizations, such as the American Medical Association, the American Association for the Advancement of Science, the National Academy of Sciences, the US Department of Agriculture, and the World Health Organization, among others. The passage of this bill would put New Hampshire in conflict with other states that are attempting to implement similar laws but with different provisions. Studies have shown that this conflict would result in increased costs and penalties to our businesses and consumers. Currently each state that has brought forward a bill such as this has found itself embroiled in litigation costing millions in an attempt to prove its constitutionality. In addition, this bill adds severe penalties to our businesses of up to \$1,000 per day for incorrect labeling. The fiscal note states that 1) personnel costs for Department of Health and Human Services enforcement will be \$100,000 to \$200,000 per year; 2) the Attorney General will be required to make rules, conduct civil investigations and mandate civil action, the costs of which are not included in the fiscal note; and 3) the 16 self-inspecting towns in the state will be required to conduct enforcement and civil action on their own, with no state support. What is the solution? The US Food and Drug Administration (FDA) has recently released

labeling guidance for foods that have or have not been derived from genetically engineered plants. The Campbell Soup Company just announced they will be using the FDA labeling guidance as a marketing tool. Currently, companies are free to voluntarily label and market their product as “organic,” and/or have third party certification to label their products “GMO-free.” Finally, with the advent of modern technology, by midsummer the major food companies will be releasing the new “SmartLabel,” so when a consumer scans a product on the grocery store shelf with a smart phone or with an in-store scanner, more information about the product than what is on the label will be instantly available to the consumer, including whether or not it contains genetically engineered ingredients. For these reasons, the bipartisan majority of the committee strongly opposes this bill. Vote 12-7.

Rep. Peter Bixby for the Minority of Environment and Agriculture. This bill is fundamentally about the right to know. Preliminary court decisions on the Vermont labeling law suggest that the federal court accepts that there is a compelling state interest in the people’s right to know how their food is produced. The Jew who follows the law of Kilayim, separation of species, established in Leviticus, has a right to know if species have been mixed in his food. The person with digestive disorders who wants to be extra cautious with her food has a right to know. The person who is not convinced the federal government has done its due diligence in safety testing has a right to know and is justified in that doubt. In 1992, notwithstanding the advice of the agency’s scientists, the head of the Food and Drug Administration (FDA) determined that foods produced with genetic engineering were substantially equivalent to natural foods and were legally “Generally Recognized as Safe” (GRAS). Since that time, the US Department of Agriculture’s oversight of GMO foods has been limited to assessing pest and disease risks. The FDA’s role is even smaller. All safety assessments are optional and done by choice by the companies that produce the GMOs. The optional review process, in which the biotech companies send the safety data they choose to the FDA in exchange for a letter saying they did so, has all the weight of a rubber stamp. The record of biotechnology corporations in protecting public health is not without lapses. Long after Agent Orange was determined to have long-term health consequences for veterans exposed in Vietnam, Monsanto went out of its way to avoid responsibility. They repeated the pattern with incidents of dioxin contamination in Nitro, West Virginia and PCB contamination in Anniston, Alabama. Similarly, DuPont had a decades-long practice of covering up health issues with C-8, an ingredient in Teflon. While publicly accessible trait-by-trait, third party, safety testing would be preferable, labeling food with “produced with genetic engineering” is a remedy within our purview as a state. We should do the best we can by providing this to our citizens.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Reps. McConnell, Bixby, Abramson and Valerie Fraser spoke against.  
Rep. Darrow spoke against and yielded to questions.  
Rep. Sad spoke in favor.  
Rep. O’Connor spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 239    NAYS 122**

**YEAS - 239**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Howard, Jr., Raymond	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	

**CARROLL**

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

**CHESHIRE**

Ames, Richard	Berch, Paul	Bordenet, John	Eaton, Daniel
Hunt, John	Parkhurst, Henry	Sad, Tara	Sterling, Franklin
Weber, Lucy			

**COOS**

Fothergill, John  
Tholl, John

Hatch, William

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Almy, Susan  
Gionet, Edmond  
Piper, Wendy

Bailey, Brad  
Hennessey, Martha  
Shackett, Jeffrey

Brown, Duane  
Ingbretson, Paul  
Townsend, Charles

Cooney, Mary  
Ladd, Rick  
White, Andrew

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Boehm, Ralph  
Christiansen, Lars  
Cornell, Patricia  
Eastman, Eric  
Freitas, Mary  
Gould, Linda  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McClarren, Donald  
Notter, Jeanine  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Shaw, Barbara  
Soucy, Timothy  
Sullivan, Daniel  
Wolf, Terry

Ammon, Keith  
Beaulieu, Jane  
Burt, John  
Christie, Rick  
Danielson, David  
Edwards, Elizabeth  
Gagne, Larry  
Griffin, Barbara  
Heath, Mary  
Judy, Jean  
Leishman, Peter  
McLean, Mark  
O'Brien, William  
Ohm, Bill  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Souza, Kathleen  
Sullivan, Victoria  
Zaricki, Nick

Backus, Robert  
Belanger, James  
Byron, Frank  
Coffey, James  
DiSilvestro, Linda  
Estevez, Eric  
Gidge, Kenneth  
Haefner, Robert  
Hinch, Richard  
Kurk, Neal  
Martel, Andre  
Moore, Josh  
O'Neil, William  
Palmer, Barry  
Proulx, Mark  
Schleien, Eric  
Smith, Gregory  
Stepanek, Stephen  
Takesian, Charlene

Balcom, John  
Biggie, Barbara  
Christensen, Chris  
Cohen, Alan  
Donovan, Daniel  
Ferreira, Elizabeth  
Gorman, Mary  
Halstead, Carolyn  
Hogan, Edith  
Lachance, Joseph  
McCarthy, Peggy  
Murphy, Keith  
Ober, Lynne  
Parison, James  
Rice, Kimberly  
Seidel, Carl  
Snow, Kendall  
Straight, Phillip  
Ulery, Jordan

**MERRIMACK**

Alicea, Caroletta  
French, Harold  
Kenison, Linda  
Long, Douglas  
McGuire, Dan  
Seaworth, Brian

Bradley, Paula  
Henle, Paul  
Kidder, David  
Marple, Richard  
Parent, Jason  
Shurtleff, Stephen

Brewster, Michael  
Hill, Gregory  
Kotowski, Frank  
Martin, John  
Rice, Chip  
Walsh, Thomas

Deloge, Helen  
Hoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Schuett, Dianne

**ROCKINGHAM**

Abrami, Patrick  
Belanger, Ronald  
Christie, Andrew  
Doucette, Fred  
Francesse, Paula  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Rice, Frederick  
Sytek, John  
True, Chris  
Webb, James

Allen, Mary  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Friel, William  
Harris, Jeffrey  
Itse, Daniel  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Peckham, Michele  
Schroader, Adam  
Tasker, Kyle  
Tucker, Pamela  
Welch, David

Baldasaro, Alfred  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Lundgren, David  
McMahon, Charles  
Osborne, Jason  
Potucek, John  
Spillane, James  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

Bates, David  
Chirichiello, Brian  
Devine, James  
Fesh, Robert  
Gordon, Richard  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Manning, John  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Mullen, John  
Southworth, Thomas  
Treleven, Susan  
Wuelper, Kurt

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Pitre, Joseph  
Spang, Judith  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Kaen, Naida  
Rollo, Deanna  
Sprague, Dale  
Verschueren, James

DeLemus, Susan  
Hannon, Joseph  
Leeman, Don  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

**SULLIVAN**

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne  
Smith, Steven

Laware, Thomas

O'Hearne, Andrew

**NAYS - 122****BELKNAP**

Fraser, Valerie

Gallagher, Brian

Varney, Peter

**CARROLL**

Butler, Edward

Nelson, Bill

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Mann, John  
Roberts, Kris  
Tilton, Benjamin

Chase, Cynthia  
McConnell, James  
Robertson, Timothy

Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

**COOS**

Froburg, Alethea  
Thomas, Yvonne

Moynihan, Wayne

Rappaport, Laurence

Theberge, Robert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Johnson, Eric  
Smith, Suzanne

Bennett, Travis  
Hennessey, Erin  
Maes, Kevin  
Sykes, George

Brown, Rebecca  
Higgins, Patricia  
Massimilla, Linda

Darrow, Stephen  
Hull, Robert  
Nordgren, Sharon

**HILLSBOROUGH**

Booras, Efstathia  
Flanagan, Jack  
Hansberry, Daniel  
Jack, Martin  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Woodbury, David

Brown, Pamela  
Fromuth, Bart  
Harvey, Suzanne  
Long, Patrick  
Murotake, David  
Roberts, Carol  
Smith, Timothy

Cote, David  
Goley, Jeffrey  
Herbert, Christopher  
Mangipudi, Latha  
O'Brien, Michael  
Rosenwald, Cindy  
Vann, Ivy

Edelblut, Frank  
Guerette, C. Lee  
Hopper, Gary  
Manley, Jonathan  
Peterson, Ken  
Scontsas, Lisa  
Williams, Kermit

**MERRIMACK**

Bartlett, Christy  
Frazer, June  
Horn, Werner  
Moffett, Howard  
Rogers, Katherine

Carson, Clyde  
French, Barbara  
Karrick, David  
Myler, Mel  
Saunderson, George

Doherty, David  
Gile, Mary  
Luneau, David  
Patten, Dick  
Turcotte, Alan

Ebel, Karen  
Hirsch, Geoffrey  
Mackay, James  
Ratzki, Mario  
Wallner, Mary Jane

**ROCKINGHAM**

Abramson, Max  
Borden, David  
Cushing, Robert

Azarian, Gary  
Cahill, Michael  
DiFranco, Debbie

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Elliott, Robert

Berrien, Skip  
Cook, Allen  
Ferrante, Beverly

Gordon, Pamela  
McBeath, Rebecca  
Woitkun, Steven

Green, Dennis  
Sherman, Thomas

Guthrie, Joseph  
Simpson, Alexis

Heffron, Frank  
Ward, Gerald

### STRAFFORD

Baber, William  
DiSesa, Len

Bixby, Peter  
Horgan, Timothy

Burton, Wayne  
Schmidt, Peter

Cilley, Jacalyn  
Wall, Janet

### SULLIVAN

Cloutier, John  
Oxenham, Lee

Converse, Larry  
Schmidt, Andrew

Grenier, James

Irwin, Virginia

and the majority committee report was adopted.

The House recessed at 12:30 p.m.

### RECESS

The House reconvened at 1:45 p.m.

**(Speaker Jasper in the Chair)**

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 502.  
Rep. Hinch, Sen. Prescott for the Committee

### INTRODUCTION OF SPECIAL GUESTS

Members of Leadership Greater Concord, guests of the House.

### REGULAR CALENDAR CONT'D

**HB 1416-FN**, relative to funding for state criminal background checks. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. The measure would have authorized the Department of Safety (DOS) to set "reasonable" fees for state criminal background checks. Some people saw this as a new gun tax. Although, there was some discussion in the hearing on what reasonable fees would be, there was no definitive conclusion. Dealers testified that there would be serious logistical issues with collecting any fee. They wondered if it would be applied per phone call, per firearm, or per transaction. There were also questions about who would retain the data on those who made payments, as this data would create a list of gun owners in NH, something that the gun owners strongly objected to. To help explain the process, the current system treats handguns and long guns differently. Handgun purchases are run through the State Police for a check while long guns (rifles and shotguns) are run through the federal database. Currently, the National Instant Criminal Background Check System is a free service from the Federal Government and many felt that there was no reason to charge a fee for this same service in state. The proponents of the measure argued that the current system has a more up to date database and there was value to keeping this service in state, however they were seeking to reduce the delays in processing these transactions. With the exception of the sponsors and the DOS, everyone else testifying on this measure opposed this bill and the new fees that would have been set by the department. In addition, there were several hundred emails received opposing the measure and the vast majority of those in attendance to the hearing opposed this bill. Vote 11-4.  
Committee report adopted.

**HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Mark Proulx for Executive Departments and Administration. This bill was filed at the request of the Department of Administrative Services. The department would like to add three part-time positions in response to the loss of a number of positions over the years. This will allow them to better provide the services that are required of the department. Vote 13-3.

Committee report adopted and referred to the Committee on Finance.

**HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill establishes a position of licensed alcohol and drug counselor in the Department of Safety, Bureau of Emergency Medical Services. This individual will be charged with developing a statewide plan to train fire and emergency medical services personnel. As part of this legislature's commitment to addressing the heroin and opioid crisis claiming an increasing number of lives in the state of NH, the intent of this bill is to empower those on the front lines of this crisis to intervene in the most effective manner possible. With proper training, it is envisioned that those called to resuscitate an overdose patient have a critical window of opportunity to encourage that patient to take the first step towards rehabilitation. The original bill was amended to remove the pilot program of placing LADC's in three cities within the state, as there is not currently a clear consensus on the organizational structure or operational aspects of the pilot program. The committee felt that time will permit stakeholders in this issue to work on a shared vision of a potential pilot program that will be of optimal value in addressing the heroin and opioid crisis. Vote 12-3.

#### **Amendment (0400h)**

Amend RSA 21-P:12-b, IV as inserted by section 1 of the bill by deleting subparagraph (b) and renumbering the original subparagraph (c) to read as (b).

#### **AMENDED ANALYSIS**

This bill establishes the position of licensed alcohol and drug counselor in the department of safety, bureau of emergency medical services. The person holding the position shall be responsible for establishing a training program for fire and emergency medical services personnel. The bill makes an appropriation for this purpose.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Hansen spoke against.

Rep. Cilley spoke in favor and yielded to questions.

On a division vote, with 185 members having voted in the affirmative and 125 in the negative, the committee report was adopted and referred to the Committee on Finance.

**HB 1524-FN-A**, repealing fish and game department authority to establish fees by administrative rulemaking. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard McNamara for the Majority of Fish and Game and Marine Resources. The majority of the committee felt that the Fish and Game Department, which has recently been given the authority to set fees, be provided the opportunity to make the new system work before making major changes to the law. Vote 9-2.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This bill would rectify the unfortunate situation that occurred last year when the authority to set hunting and fishing license fees was granted to the Fish and Game Department by means of an amendment that the Senate attached to a House bill that dealt with an entirely different issue. The legislature has been successfully setting fees for the entire history of the Fish and Game Department and that oversight should be returned by passage of this bill. The amendment that the minority wishes to propose fixes a few issues with currently set fees.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Duarte spoke against and yielded to questions.

Rep. Webb spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 220 NAYS 133**

**YEAS - 220**

**BELKNAP**

Fields, Dennis  
LeBreche, Shari

Flanders, Donald  
Luther, Robert

Fraser, Valerie  
Tilton, Franklin

Gallagher, Brian

**CARROLL**

Buco, Thomas  
Nelson, Bill  
Umberger, Karen

Butler, Edward  
Parker, Harold

Chandler, Gene  
Schmidt, Stephen

McConkey, Mark  
Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Sad, Tara

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Thomas, Yvonne

Froburg, Alethea

Richardson, Herbert

Tholl, John

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Ladd, Rick  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Smith, Suzanne

Brown, Rebecca  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Biggie, Barbara  
Christensen, Chris  
DiSilvestro, Linda  
Freitas, Mary  
Guerette, C. Lee  
Heath, Mary  
Jeuzy, Jean  
Long, Patrick  
McNamara, Richard  
Peterson, Ken  
Roberts, Carol  
Shattuck, Gilman  
Soucy, Timothy  
Vann, Ivy

Balcom, John  
Booras, Efstathia  
Cohen, Alan  
Donovan, Daniel  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
O'Brien, Michael  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Souza, Kathleen  
Williams, Kermit

Baroody, Benjamin  
Brown, Pamela  
Cornell, Patricia  
Edwards, Elizabeth  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
Ober, Lynne  
Porter, Marjorie  
Rouillard, Claire  
Smith, Timothy  
Sullivan, Daniel  
Wolf, Terry

Beaulieu, Jane  
Byron, Frank  
Cote, David  
Flanagan, Jack  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Takesian, Charlene  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Luneau, David  
Patten, Dick  
Saunderson, George  
Walsh, Thomas

Bartlett, Christy  
Ebel, Karen  
Henle, Paul  
Kidder, David  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

Bradley, Paula  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Carson, Clyde  
French, Barbara  
Karrick, David  
Long, Douglas  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Fesh, Robert  
Guthrie, Joseph

Azarian, Gary  
Borden, David  
Chirichiello, Brian  
Devine, James  
Francese, Paula  
Hagan, Joseph

Barnes, Arthur  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Gordon, Pamela  
Heffron, Frank

Belanger, Ronald  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Ferrante, Beverly  
Griffin, Mary  
Hoelzel, Kathleen

Introne, Robert  
 Matthews, Carolyn  
 O'Connor, John  
 Simpson, Alexis  
 Ward, Gerald  
 Weyler, Kenneth

Katsakiores, Phyllis  
 McBeath, Rebecca  
 Packard, Sherman  
 Sweeney, Joe  
 Ward, Joanne  
 Woitkun, Steven

Kolodziej, Walter  
 McKinney, Betsy  
 Pantelakos, Laura  
 Sytek, John  
 Webb, James

Lovejoy, Patricia  
 Milz, David  
 Sherman, Thomas  
 Tilton, Rio  
 Welch, David

### STRAFFORD

Baber, William  
 Burton, Wayne  
 Horrigan, Timothy  
 Southworth, Thomas  
 Verschueren, James

Berube, Roger  
 Cilley, Jacalyn  
 Pitre, Joseph  
 Spang, Judith  
 Wall, Janet

Bickford, David  
 DiSesa, Len  
 Schmidt, Peter  
 Stevens, Audrey  
 Ward, Kenneth

Bixby, Peter  
 Gray, James  
 Smith, Marjorie  
 Treleaven, Susan

### SULLIVAN

Cloutier, John  
 Grenier, James  
 Schmidt, Andrew

Converse, Larry  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 O'Heame, Andrew

Gottling, Suzanne  
 Oxenham, Lee

### NAYS - 133

#### BELKNAP

Aldrich, Glen  
 Sylvia, Michael

Dumais, Russell  
 Vadney, Herbert

Howard, Jr., Raymond  
 Varney, Peter

Spanos, Peter

#### CARROLL

Avellani, Lino  
 Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

### CHESHIRE

McConnell, James

Roberts, Kris

Sterling, Franklin

Tilton, Benjamin

### COOS

Hatch, William

Moynihan, Wayne

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad  
 Hull, Robert

Brown, Duane  
 Ingbreton, Paul

Gionet, Edmond  
 Johnson, Eric

Hennessey, Erin  
 Nordgren, Sharon

### HILLSBOROUGH

Adams, Christopher  
 Burt, John  
 Danielson, David  
 Ferreira, Elizabeth  
 Griffin, Barbara  
 Hopper, Gary  
 Moore, Josh  
 O'Brien, William  
 Pellegrino, Anthony  
 Seidel, Carl  
 Straight, Phillip

Ammon, Keith  
 Christiansen, Lars  
 Eastman, Eric  
 Fromuth, Bart  
 Halstead, Carolyn  
 Lachance, Joseph  
 Murotake, David  
 Ober, Russell  
 Rice, Kimberly  
 Simmons, Tammy  
 Sullivan, Victoria

Belanger, James  
 Christie, Rick  
 Edelblut, Frank  
 Gagne, Larry  
 Hansen, Peter  
 McClarren, Donald  
 Murphy, Keith  
 Ohm, Bill  
 Schleien, Eric  
 Smith, Gregory  
 Ulery, Jordan

Boehm, Ralph  
 Coffey, James  
 Estevez, Eric  
 Gould, Linda  
 Hogan, Edith  
 McLean, Mark  
 Notter, Jeanine  
 Parison, James  
 Scontsas, Lisa  
 Stepanek, Stephen  
 Zaricki, Nick

### MERRIMACK

Brewster, Michael  
 Hoell, J.R.  
 McGuire, Carol  
 Wallner, Mary Jane

Deloge, Helen  
 Kuch, Bill  
 McGuire, Dan

French, Harold  
 Marple, Richard  
 Parent, Jason

Hill, Gregory  
 Martin, John  
 Seaworth, Brian



**ROCKINGHAM**

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Chase, Francis	Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Lundgren, David	McMahon, Charles	Nigrello, Robert
Osborne, Jason	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael			

**STRAFFORD**

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Leeman, Don	Mullen, John	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			

**SULLIVAN**

Laware, Thomas                      Rollins, Skip  
and the majority committee report was adopted.

**HB 1557-FN**, relative to alcohol and drug treatment programs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for the Majority of Health, Human Services and Elderly Affairs. The amendment to HB 1557-FN requires the legislative budget assistant office to evaluate the “feasibility” of calculating and using cost effectiveness in evaluating new and existing state programs. The majority of the committee recognizes that this approach would result in a paradigm shift of how the allocation of finite state dollars would be used for authorized programs. This bill does no more than establish a pathway to determine the feasibility and potential resources required to accomplish this methodology. Presently, program effectiveness, if it’s measured at all, is based on transactional metrics such as number of clients served, or number of bridges required. These metrics are interesting, but provide no assurance that monies are well spent. Vote 11-7.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. The original title of this bill was “an act relative to alcohol and drug treatment programs.” The bill has been transformed into a direction to the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness methods throughout all state programs. The minority is concerned that the amendment differs so much from the original bill that it is a non-germane amendment requiring a new hearing under House Rule 45 (b). In addition, the minority does not understand why a statute is required instead of having the appropriate authority simply direct, or authorize the legislative budget assistant to study this issue.

**Majority Amendment (0326h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to cost effectiveness of programs implemented within state agencies.

Amend the bill by replacing all after the enacting clause with the following:

1 Office of Legislative Budget Assistant; Cost Effectiveness of Programs Within State Agencies.

I. The legislative budget assistant, in collaboration with the department of administrative services and such other organizations as he or she may wish to consult, shall evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. The process for determining cost effectiveness shall include, but not be limited to, the following steps:

(a) Systematically assessing all high-quality studies from the United States and elsewhere to identify policy options that have been tried and tested and found to achieve improvements in outcomes.

(b) Determining how much it would cost to produce the results found in subparagraph (a) in this state, determining the value of the benefits from such an improved outcome, and calculating the net present value thereof.

(c) Assessing the risk in the estimates to determine the probability that a particular policy options benefits will outweigh its costs.

(d) Ranking programs in state agencies based on value and risk.

II. The department of administrative services and each state agency shall furnish to the legislative budget assistant information, excluding information otherwise confidential under law, he or she may request in the course of carrying out the duties under this section in a mutually agreeable and compatible format.

III. The legislative budget assistant shall make an initial report by November 1, 2016, on the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. If the legislative budget assistant determines that calculating cost effectiveness is feasible, he or she shall make a final report on or before November 1, 2017, including recommendations for legislation, to the commissioner of administrative services, the chairpersons of the house and senate finance committees, the speaker of the house of representatives, the president of the senate, the state library, and the governor.

2 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill requires the office of the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs.

#### CLERK'S NOTE

The Speaker ruled that Majority Amendment (0326h) was non-germane to HB 1557-FN, relative to alcohol and drug treatment programs, and as it did not have a public hearing, the Speaker ruled that House Rules must be suspended in order for the amendment to be adopted. The Chair of the Committee did not ask for a rules suspension. The report and question before the House is Ought to Pass.

#### MOTION TO LAY ON THE TABLE

Rep. Weber moved that **HB 1557-FN**, relative to alcohol and drug treatment programs, be laid on the table. On a division vote, with 232 members having voted in the affirmative and 124 in the negative, the motion was adopted.

#### REGULAR CALENDAR CONT'D

**HB 1619-FN**, relative to the use of narcotics. **REFER FOR INTERIM STUDY.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. The committee felt that this potentially significant legislation required further study. The utilization of recovery coaches in the process of treatment for an overdose is pertinent to comprehensive plans. Hospitals expressed an interest, but have significant questions that need to be clarified. Other questions revolved around certification and training requirements. There is a unanimous agreement that further study could provide an enhanced piece of legislation. Vote 18-0.

Rep. Hopper spoke against.

Rep. MacKay spoke in favor.

On a standing division vote, with 277 members having voted in the affirmative and 66 in the negative, the committee report was adopted.

**HB 1695-FN**, establishing an office of health services planning and review within the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. The bill, as amended, facilitates the gathering of data on all aspects of the health care system including cost, financing, quality, patient safety, system performance and efficiency. The data is collected through a memorandum of understanding between the Department of Health and Human Services, the Insurance Department and the Attorney General's office. For the most part, this is data that is already being collected through the three agencies. A website is to be established in the Department of Health and Human Services to allow all stakeholders and members of the public access to this data to aid in health care planning decisions. In addition, a health care data council is created to monitor the data thus collected and assess the effect on patient safety, cost, quality access and performance. The council is charged with aiding the commissioner of DHHS to create a 10-year health care plan for the state. The council is charged with reviewing and evaluating best practices and efficiencies as to quality and cost of care. The council will make a report on November 1, 2016, and annually thereafter. The bill sets up a fund to be used for costs of implementing the bill, but there is no funding mechanism included in the bill and no appropriation is being sought. Vote 18-0.

**Amendment (0323h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to a health system public data resource plan for New Hampshire and establishing a special fund.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Health System Public Data Resource Plan. Amend RSA 126-A by inserting after section 69 the following new subdivision:

Health System Public Data Resource Plan

126-A:70 Health System Public Data Resource Plan; Council Established.

I.(a) Pursuant to the memorandum of understanding set forth in paragraph V, the department of health and human services shall make publicly available through an Internet website consolidated information on health care system patient safety, cost, quality, access to coverage and care, system performance, and efficiency, and information pertaining to the delivery and financing of the health care system in New Hampshire, including information on new health system projects and associated costs.

(b) The information made available shall be maintained as a resource for decision making and policy analysis by state and local planners, policy makers, health care system entities, purchasers of health care, and the public. The information shall also be used by the department, in consultation with the health system public data resource planning council established in paragraph III, to plan and monitor the health care system and the relevant factors that influence patient safety, cost, quality, access, and performance.

II. The commissioner, in consultation with the health system public data resource planning council, shall coordinate and provide support for the development of a 10-year health system public data resource plan for New Hampshire. The plan shall take into consideration and align itself with other existing multi-year plans, as appropriate. The plan shall be developed as an information resource for use by health care providers, health insurance carriers, health care purchasers, and the general court to develop and implement programs and policies and provide guidance to state agencies when implementing programs and policies. The plan shall include:

(a) Analysis of the health care needs of both the state as a whole and each geographic region of the state.

(b) Analysis of current health care system safety, cost, quality, access, system performance, and financing.

(c) Specific goals and objectives the state should accomplish over the 10-year period.

(d) Methods of evaluating progress to meeting the goals and objectives.

III.(a) There is hereby established a health system public data resource planning council. The membership of the council shall be as follows:

(1) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(2) One member of the senate, appointed by the senate president.

(3) The commissioner of the department of health and human services, or designee.

(4) The insurance commissioner, or designee.

(5) The attorney general, or designee.

(6) One member representing health care facilities, appointed by the New Hampshire Hospital Association.

(7) One member representing health care practitioners, appointed by the New Hampshire Medical Society.

(8) One member representing municipal planners, appointed by the New Hampshire Planners Association.

(9) One member representing public health practitioners, appointed by the New Hampshire Public Health Association.

(10) One member representing community services providers, appointed by the governor.

(11) One public member representing health care consumers, appointed by the governor.

(12) One member representing public purchasers of health insurance, appointed by the governor.

(13) One member representing private purchasers of health insurance, appointed by the governor.

(14) One member representing health insurance carriers, appointed by the governor.

(15) A representative of community health centers, appointed by the Bi-State Primary Care Association.

(b) Members of the council shall serve without compensation, except that legislative members shall receive mileage at the legislative rate when attending to the duties of the council. The members, other than those representing state agencies and the legislature, shall serve 3-year terms and shall not serve more than 2 full consecutive terms. Those members representing state agencies shall serve as nonvoting members on the council.

(c) The council may meet as often as necessary to effectuate its goals. The first meeting shall be called by the commissioner of health and human services within 45 days of the effective date of this subdivision. At the first meeting, a chairman shall be elected by the members. Seven members of the council shall constitute a quorum.

(d) The council shall:

(1) Provide advice and consultation to the commissioner regarding the development, implementation, and maintenance of the health system public data resource plan.

(2) Review and evaluate best practices to make publicly available consolidated information on health care system patient safety, cost, quality, access to coverage and care, system performance, and efficiency, and information pertaining to the delivery and financing of the health care system in New Hampshire, including information on new health system projects and associated costs.

(3) Monitor the health care system and the relevant factors that influence patient safety, cost, quality, access, and performance. The council's authority and duties shall be limited to the provisions of this subdivision.

(4) The council shall make an initial report on November 1, 2016 with an annual report on each November 1 thereafter, relative to the health system public data resource plan and information Internet website. The reports shall include the council's findings and any recommendations for proposed legislation and shall be submitted to the oversight committee on health and human services established in RSA 126-A:13, the chairpersons of the house and senate standing committees having jurisdiction over health and human services issues, the speaker of the house of representatives, the president of the senate, and the governor.

IV. The commissioner, in consultation with the council, shall release the initial version of the health system public data resource plan no later than January 1, 2017 or 8 months after the effective date of this subdivision, whichever is later.

V. The commissioner, in consultation with the council, shall enter into a memorandum of understanding with the insurance commissioner and attorney general for collaboration in the development of the publicly available information specified in paragraph I. The memorandum of understanding shall include a description of the resources that shall be made available to the department and shall specifically identify data and reports which shall be shared with the department.

VI. Pursuant to the memorandum of understanding under paragraph V, the commissioner, in consultation with the council, shall adopt rules under RSA 541-A, as may be necessary, relative to collecting aggregate information from health care providers and the insurance department that is not proprietary information on new health system projects, and associated costs under the provisions of this subdivision.

VII. The department, in consultation with the council, shall make the health system public data resource plan and meet other requirements set forth in this subdivision, subject to sufficient and available funding.

126-A:71 Health System Public Data Resource Plan Fund; Established. There is established the health system public data resource plan fund, which shall be nonlapsing and continually appropriated to the department and administered by the commissioner for the purposes of this subdivision. Pursuant to the memorandum of understanding under RSA 126-A:70, V, the fund shall be used for costs incurred by the department in carrying out the requirements under this subdivision. All monetary funds, grants, gifts, donations, or interest generated by the fund shall be deposited with the state treasurer in the fund.

2 New Subparagraph; Application of Receipts; Health System Public Data Resource Plan Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:

(332) Moneys deposited in the health system public data resource plan fund, established in RSA 126-A:71.

3 Effective Date. This act shall take effect upon its passage.

## AMENDED ANALYSIS

This bill establishes a health system public data resource plan for New Hampshire. Under this bill, the commissioner of the department of health and human services, the insurance commissioner, and the attorney general shall enter into a memorandum of understanding to collaborate in the development of publicly available information on health care system patient safety, cost, quality, access, and system performance, and information pertaining to the delivery and financing of the health care system in New Hampshire. The bill also establishes a health system public data resource planning council to provide consultation for the development of a 10-year health system public data resource plan for New Hampshire. The bill also establishes a fund for the implementation and administration of the requirements of the plan.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for the Majority of Health, Human Services and Elderly Affairs. This bill reauthorizes the New Hampshire Health Protection Program for 2017 and 2018. The NHHPP developed in 2014 was for residents not qualifying for Medicaid and not qualified for subsidies on the Health Insurance Exchange, also known as expanded Medicaid. The program allows 47,000 low income residents and neighbors better access to healthcare leading to improved healthcare outcomes. Testimony from individuals as well as hospitals, community health centers; insurance carriers, business, the NH Municipal Association and others overwhelmingly supported the bill. There are multiple economic benefits including the infusion of hundreds of millions of dollars of federal funding, providing fiscal stability to hospitals and other healthcare providers and finally helping to provide a healthier workforce. The program provides a robust substance abuse benefit, a much needed service to fight the opioid epidemic. With this legislation there are no new taxes and no use of general funds. Voluntary contributions by insurance carriers and hospitals will make the special purpose trust whole. Any deficiency in the trust and the NHHPP ceases to operate as well as no risk for taxpayers. New enrollees will be expected to work if they are able. This bill is well crafted and represents a bipartisan effort to help a vulnerable portion of New Hampshire residents. Vote 17-1.

Rep. Joanne Ward for the Minority of Health, Human Services and Elderly Affairs. If a deal sounds too good to be true, it generally is. The federal funds will roll in and the hospitals will chip in and the state will come out even. So what is the problem? There are no guarantees that either party will fulfill their obligations. Of course the hospitals will chip in to pay for the expansion. Uncompensated care is down significantly since this program was expanded and they receive reimbursement for emergency visits. It is a win-win for hospitals and community health care centers because of the reimbursement rates. There is less uncompensated care in the emergency rooms, but that is not to say there are less visits. There is no incentive for preventative care. Yes, there are deductibles of 8 or 25 dollars for inappropriate uses of the emergency room. Is this small amount really a disincentive? And we have to rely on the federal government to grant us a waiver to provide a waiver for this to happen. How can the state deny 47,000 people health insurance if it is working so well, how many of those previously had health care but shifted to medicaid insurance because it is less expensive, how many of our incarcerated have been shifted to this program? How sad is it that the ACA, which was intended to fix this problem, didn't? How sad is it that our citizens on Medicare need supplemental insurance to pay for their care, how sad is that our citizens on medicaid are denied treatment by some providers, and how sad are the deductibles and premiums that many of us pay for private insurance? Wouldn't it be great if the state would pay for all of this? The federal government has proven that the ACA is a failed expensive health care solution. So should the taxpayers of the state be on the hook to pay for the failure? Medicaid expansion is private insurance; it is an expansion of a failed government program. This expansion will cover able-bodied young people who can get insurance on the exchange if they work for it. This is not medicaid, it is very different, it shifts costs to the privately insured. Medicaid is intended for un-insured children, elderly, disabled and less fortunate. This expansion may merely shift costs to the insured through higher deductibles and premiums.

**Majority Amendment (0345h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; New Hampshire Health Protection Plan. Amend RSA 126-A:5 by inserting after paragraph XXIX the following new paragraph:

XXX.(a)(1) Newly eligible adults who are unemployed shall be eligible to receive benefits under RSA 126-A:5 XXIV-XXV, if the commissioner finds that the individual is engaging in at least 30 hours per week of one or a combination of the following activities:

- (A) Unsubsidized employment.
- (B) Subsidized private sector employment.
- (C) Subsidized public sector employment.
- (D) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.
- (E) On-the-job training.
- (F) Job search and job readiness assistance.
- (G) Community service programs.
- (H) Vocational educational training not to exceed 12 months with respect to any individual.
- (I) Job skills training directly related to employment.
- (J) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.
- (K) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.
- (L) The provision of child care services to an individual who is participating in a community service program.

(2) The requirements under subparagraph (1) shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(d).

(3) Grounds for disqualification for benefits under this subparagraph shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(e).

(4) This subparagraph shall only apply to those considered childless, abled-bodied adults as defined in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i). In this subparagraph, "childless" means an adult who does not live with a dependent child which includes a child under 18 years of age or under 20 years of age if the child is a full-time student in a secondary school or the equivalent.

(5) This subparagraph shall not apply to:

(A) A person who is temporarily unable to participate in the requirements under subparagraph (a)(1) due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician assistant, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability.

(B) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.

(C) A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required.

(6) If any provision of this subparagraph, or the application thereof to any person or circumstance, is held invalid, including, but not limited to, being contrary to federal law or rejected by the Centers for Medicare and Medicaid Services (CMS) in necessary state plan amendments or waivers, such determination shall not affect the provisions or applications of this subparagraph which can be given effect without the invalid provision or application, and to that end the provisions of this subparagraph are severable.

(b) Newly eligible adults who visit the emergency room for non-emergency purposes shall be required to make a co-payment of \$8 for the first visit and \$25 for each and every non-emergency visit thereafter.

(c) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place

by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

2 Insurance Premium Tax; New Hampshire Health Protection Program. Amend RSA 400-A:32, III to read as follows:

III.(a) *Except as provided in subparagraph (b), the taxes imposed in paragraphs I and II of this section shall be promptly forwarded by the commissioner to the state treasurer for deposit to the general fund.*

(b) *Taxes imposed attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI shall be deposited into the New Hampshire health protection trust fund, established in RSA 126-A:5-b. The commissioner shall notify the state treasurer of sums for deposit into the New Hampshire health protection trust fund no later than 30 days after receipt of said taxes.*

3 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(a) to read as follows:

XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, until December 31, [2016] 2018 and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

4 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(c) to read as follows:

(c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, coverage under the voluntary bridge to marketplace premium assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015. Enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, [2016] 2018. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from federal funds as provided under 42 U.S.C. section 1396d(y).

5 New Hampshire Health Protection Trust Fund. Amend the introductory paragraph of RSA 126-A:5-b, I to read as follows:

I. There is hereby established the New Hampshire health protection trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The trust fund shall be administered by the commissioner of the department of health and human services and shall be used solely to provide payment and reimbursement for medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, [XXX] XXIV-XXVI and RSA 126-A:67. *The commissioner may accept any gifts, grants, donations, or other funding from any source and shall deposit all such revenue received into the fund. No state general fund appropriations shall be deposited into the fund.* All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of the trust fund. The trust fund shall be authorized to pay and/or reimburse.

6 New Sections; Funding the State Share of the New Hampshire Health Protection Program. Amend RSA 126-A by inserting after section 5-b the following new sections:

126-A:5-c Funding the State Share of the New Hampshire Health Protection Program.

I. In this section:

(a) "Program" means the New Hampshire health protection program under RSA 126-A:5, XXIV-XXV.

(b) "Remainder amount" means the cost of the program for coverage effective between January 1, 2017 and June 30, 2017 less all federal reimbursement for the program and the cost of the program for coverage effective between July 1, 2017 and December 31, 2018 less all federal reimbursement for the program; and taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI, consistent with RSA 400-A:32, III(b).

II. Funding for the program from January 1, 2017 until December 31, 2018 shall not be funded from general funds. The program shall be funded as follows:

(a) Federal funds as made available by 42 U.S.C. section 1396d(y)(1).

(b) Revenue generated under RSA 400-A:32, III(b) attributable to policies purchased under the New Hampshire health protection program between July 1, 2017 and December 31, 2018.

(c) Other non-general fund revenues.

III. If at any time the sum total of the federal match rate applied, as set forth in 42 U.S.C. section 1396d(y)(1), and insurance premium tax revenues attributable to the program and revenue from non-general fund sources is insufficient to fully fund the program for newly eligible adults under RSA 126-A:5, XXIV-XXV and is less than 100 percent, then RSA 126-A:5, XXIV and XXV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services and consistent with the terms of the waiver for this program issued by the Centers for Medicare and Medicaid Services.

IV. On or before August 15th of each fiscal year, the department of health and human services, in consultation with the insurance department, shall calculate the remainder amount pursuant to this section. The remainder amount shall be calculated utilizing estimated insurance premium taxes attributable to medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI for each fiscal year. The commissioner of health and human services shall report the remainder amounts to the insurance department, the New Hampshire Hospital Association, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president.

V. After the close of each fiscal year, on or before January 15th, the department of health and human services, in consultation with the insurance department, shall recalculate the remainder amount utilizing actual insurance premium tax revenues attributable to medical and other medical-related services for the newly eligible Medicaid population provided for under RSA 126-A:5, XXIV-XXVI for the completed fiscal year. The commissioner of health and human services shall compare the remainder amount calculations under this paragraph with the remainder amount calculations under paragraph IV and report the results to the insurance department, the New Hampshire Hospital Association, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president. Any difference between amounts calculated under paragraphs IV and V for a completed fiscal year shall be added to the remainder amount due and payable during the current fiscal year. In the event that actual program costs are less than funds received, the difference shall be credited against the remaining amount for the next payable period.

#### 126-A:5-d Hospital Contributions.

I. For the period of January 1, 2017 through December 31, 2018, to fund an amount, not to exceed 50 percent of the remainder amount as defined in RSA 126-A:5-c, I(b), for benefits contained in RSA 126-A:5, XXIV-XXV, consistent with the schedule outlined in 42 U.S.C. section 1396d(y) (1), the following contributions shall be deposited into the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b, in the following order:

(a) Voluntary provider donations as described in 42 C.F.R. section 433.54(d) from individual hospital contributions of \$50,000 each per year from all acute care hospitals in the state; and

(b) The balance of any required remainder amount, after deducting amounts collected pursuant to subparagraph (a), shall be met with voluntary direct individual hospital contributions from acute care hospitals with individual hospital donation amounts as recommended by the New Hampshire Hospital Association relative to hospital net patient services revenue.

II. Hospitals are requested to contribute the amounts in subparagraph I(a) by October 15 of each fiscal year to the New Hampshire health protection trust fund.



III. Hospitals are requested to contribute the amounts specified in subparagraph I(b) in equal 1/3 installments by February 15, April 15, and June 15 of each fiscal year.

7 Individual Health Insurance Market; Purpose. Amend RSA 404-G:1, II to read as follows:

II. Create a nonprofit, voluntary organization to facilitate the availability of affordable individual nongroup health insurance by establishing an assessment mechanism and an individual health insurance market mandatory risk sharing plan as a mechanism to distribute the risks associated within the individual nongroup market *and to support the marketplace premium assistance program established in RSA 126-A:5, XXIV.*

8 Individual Health Insurance Market; Definitions. Amend RSA 404-G:2, X-a to read as follows:

X-a. "Plan of operation" means the plan of operation of the risk sharing mechanism, the high risk pool, *support for the program established in RSA 126-A:5, XXIV*, and the federally qualified high risk pool, including articles, bylaws and operating rules, procedures and policies adopted by the association.

9 New Paragraph; Individual Health Insurance Market; Definitions. Amend RSA 404-G:2 by inserting after paragraph X-b the following new paragraph:

X-c. "Program" means the marketplace premium assistance program established pursuant to RSA 126-A:5, XXIV.

10 Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(b) and (c) to read as follows:

(b) Established no later than November 1 in the year preceding the calendar year for which the carrier's experience shall be used to calculate the assessment; ~~and~~

(c) Anticipated to be sufficient to meet the high risk pool's funding needs *and the association's share of the costs of the program, as defined in subparagraph (d); and*

*(d) For the period of January 1, 2017 through December 31, 2018, an amount not to exceed 50 percent of the remainder amount, as defined in RSA 126-A:5-c, I(b), less the amount made available to the program pursuant to RSA 420-G:11, VI. The association shall transfer all amounts collected pursuant to this subparagraph and the amount made available to the program pursuant to RSA 420-G:11, VI to the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.*

11 High Risk Pool; Termination Activities and Dissolution. Amend RSA 404-G:11, VI to read as follows:

VI. Following the cessation of coverage on December 31, 2013, the association shall take such actions as are necessary and desirable to wind down its affairs under this chapter in accordance with the plan of termination. The association shall retain all of its powers and duties, including, but not limited to, its power to establish and collect regular and special assessments under RSA 404-G:5 and RSA 404-G:5-a, and the immunity provided by RSA 404-G:9 and the bylaws of the association. Any excess funds remaining after the satisfaction of all of the association's liabilities shall be ~~[returned to the association's members in proportion to their respective liability for the last regular assessments imposed by the association]~~ *used for the program and for the association's reasonable costs for collecting its share of the remainder amount.*

*VI-a. No later than October 1, 2016, the board of directors shall prepare and submit to the commissioner and the commissioner of health and human services for approval an amendment to the plan of termination that provides for the continuation of the association for the limited purpose of compliance with the provisions of RSA 404-G:5-a, IV(d).*

12 New Section; Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program. Amend RSA 126-A by inserting after section 126-A:5-d the following new section:

126-A:5-e Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program.

I. There is hereby established a commission to evaluate the effectiveness and future of the premium assistance program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of an insurance carrier that offers policies for sale in New Hampshire on the exchange, appointed by the senate president.

(6) A representative of a hospital that operates in New Hampshire, appointed by the speaker of the house of representatives.

(7) A public member, who is a taxpayer, appointed by the senate president.

(8) A public member, who currently receives insurance coverage through the program, appointed by the speaker of the house of representatives.

(9) A licensed physician, appointed by the governor.

(10) A licensed mental health professional, appointed by the governor.

(11) A masters level licensed alcohol and drug counselor, appointed by the governor.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

II.(a) The commission shall evaluate the effectiveness and future of the premium assistance program. Specifically the commission shall:

(1) Review the program's financial metrics

(2) Review the program's product offerings.

(3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to whether the premium assistance program is the most cost-effective model for the long term versus a return to private market managed care.

(5) Evaluate non-general fund funding options for longer term continuation of the program.

(b) Any funding solutions recommended by the commission shall not include the use of new general funds.

(c) The commission shall solicit information from any person or entity the commission deems relevant to its study.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

IV. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2017.

13 New Hampshire Health Protection Program. Amend 2014, 3:10, I to read as follows:

I. If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, ~~[XXX] XXIV-XXV~~ between July 1, 2014 – December 31, 2016 is less than 100 percent, ***less than 95 percent in 2017 and less than 94 percent in 2018***, of the amount as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5~~[-XXX]~~ XXIV~~[-]~~ and XXV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services.

14 New Hampshire Health Protection Plan Extended. Amend 2014, 3:13, I-a to read as follows:

I-a. Section 12, paragraphs II-VII of this act shall take effect December 31, ~~[2016]~~ **2018**.

15 Repeal. RSA 126-A:5-e, relative to the commission to evaluate the effectiveness and future of the premium assistance program, is repealed.

16 Effective Date.

I. Section 2 of this act shall take effect July 1, 2017.

II. Section 15 of this act shall take effect December 1, 2017.

III. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill also includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues.

Rep. Carol McGuire spoke against.

Rep. Fothergill spoke in favor.

On a standing division vote, with 186 members having voted in the affirmative and 116 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Leonard Turcotte offered floor amendment (0431h).

### Floor Amendment (0431h)

Amend RSA 126-A:5, XXX(a)(6) as inserted by section 1 of the bill by deleting it.

Rep. Leonard Turcotte spoke in favor.

Rep. Stephen Schmidt spoke against.

Rep. Sylvia requested a roll call; sufficiently seconded.

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#### YEAS - 143

##### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Varney, Peter

Dumais, Russell  
LeBreche, Shari

Fraser, Valerie  
Sylvia, Michael

Gallagher, Brian  
Vadney, Herbert

##### CARROLL

Avellani, Lino  
Parker, Harold

Comeau, Ed  
Wright, Ted

Cordelli, Glenn

McCarthy, Frank

##### CHESHIRE

Hunt, John

McConnell, James

##### COOS

Rideout, Leon

##### GRAFTON

Bailey, Brad  
Hull, Robert  
Shackett, Jeffrey

Brown, Duane  
Ingbreton, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

##### HILLSBOROUGH

Adams, Christopher  
Burt, John  
Coffey, James  
Estevez, Eric  
Gagne, Larry  
Hansen, Peter  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Schleien, Eric  
Smith, Gregory  
Ulery, Jordan

Ammon, Keith  
Byron, Frank  
Donovan, Daniel  
Ferreira, Elizabeth  
Gould, Linda  
Hopper, Gary  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Scoutsas, Lisa  
Souza, Kathleen  
Zaricki, Nick

Biggie, Barbara  
Christiansen, Lars  
Eastman, Eric  
Flanagan, Jack  
Griffin, Barbara  
Infantine, William  
Moore, Josh  
O'Brien, William  
Palmer, Barry  
Rice, Kimberly  
Seidel, Carl  
Stepanek, Stephen

Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Halstead, Carolyn  
Kurk, Neal  
Murotake, David  
Ober, Lynne  
Parison, James  
Rouillard, Claire  
Simmons, Tammy  
Sullivan, Victoria

##### MERRIMACK

Brewster, Michael  
Horn, Werner  
Martin, John  
Seaworth, Brian

French, Harold  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

##### ROCKINGHAM

Abrami, Patrick  
Barnes, Arthur  
Dean-Bailey, Yvonne  
Gannon, William  
Harris, Jeffrey

Abramson, Max  
Bates, David  
Duarte, Joe  
Gordon, Richard  
Hodgdon, Bruce

Allen, Mary  
Chirichiello, Brian  
Emerick, J. Tracy  
Green, Dennis  
Itse, Daniel

Baldasaro, Alfred  
Cook, Allen  
Ferrante, Beverly  
Hagan, Joseph  
Kappler, Lawrence

Katsakiores, Phyllis  
Potucek, John  
Sweeney, Joe  
True, Chris  
Weyler, Kenneth

Kolodziej, Walter  
Prudhomme-O'Brien, Katherine  
Tamburello, Daniel  
Tucker, Pamela  
Woitkun, Steven

McKinney, Betsy  
Schroadter, Adam  
Tasker, Kyle  
Vose, Michael

Osborne, Jason  
Spillane, James  
Thomas, Douglas  
Ward, Joanne

### STRAFFORD

Beaudoin, Steven  
Hannon, Joseph  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Horrigan, Timothy  
Pitre, Joseph

Graham, Robert  
Jones, Laura  
Turcotte, Leonard

Groen, Warren  
Kaczynski, Jr., Thomas  
Whitehouse, Joshua

### SULLIVAN

Laware, Thomas

Rollins, Skip

### NAYS - 206

#### BELKNAP

Fields, Dennis

Flanders, Donald

Spanos, Peter

Tilton, Franklin

### CARROLL

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

Nelson, Bill

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

### COOS

Fothergill, John  
Rappaport, Laurence  
Thomas, Yvonne

Froburg, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

### GRAFTON

Abel, Richard  
Darrow, Stephen  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Brown, Rebecca  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

### HILLSBOROUGH

Backus, Robert  
Belanger, James  
Cohen, Alan  
DiSilvestro, Linda  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Booras, Efstathia  
Cornell, Patricia  
Edwards, Elizabeth  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Vann, Ivy

Baroody, Benjamin  
Brown, Pamela  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Long, Patrick  
O'Brien, Michael  
Roberts, Carol  
Shaw, Barbara  
Straight, Phillip  
Williams, Kermit

Beaulieu, Jane  
Christensen, Chris  
Danielson, David  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Lachance, Joseph  
Mangipudi, Latha  
Pierce, David  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Wolf, Terry

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

**ROCKINGHAM**

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis	Christie, Andrew
Cushing, Robert	DeSimone, Debra	Devine, James	DiFranco, Debbie
Doucette, Fred	Elliott, Robert	Fesh, Robert	Francesca, Paula
Gordon, Pamela	Griffin, Mary	Guthrie, Joseph	Heffron, Frank
Hoelzel, Kathleen	Introne, Robert	Lovejoy, Patricia	Matthews, Carolyn
McBeath, Rebecca	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Packard, Sherman	Pantelakos, Laura	Peckham, Michele
Rice, Frederick	Sherman, Thomas	Simpson, Alexis	Sytek, John
Tilton, Rio	Ward, Gerald	Webb, James	Welch, David

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Gray, James
Mullen, John	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Heame, Andrew	Oxenham, Lee
Schmidt, Andrew	Smith, Steven		

and floor amendment (0431h) failed.

Rep. Horrigan voted Yea and intended to vote Nay.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Cordelli offered floor amendment (0460h).

**Floor Amendment (0460h)**

Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The New Hampshire health protection program established under RSA 126-A:5, XXIV-XXV shall be limited to 60,000 participants.

(d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

**AMENDED ANALYSIS**

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. The bill also limits the New Hampshire health protection program to 60,000 participants.

Rep. Cordelli spoke in favor.

Rep. Umberger spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 138 NAYS 210****YEAS - 138****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond  
Vadney, Herbert

Dumais, Russell  
LeBreche, Shari  
Varney, Peter

Fraser, Valerie  
Luther, Robert

Gallagher, Brian  
Sylvia, Michael

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

McConnell, James

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Brown, Duane  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

Hull, Robert  
Shackett, Jeffrey

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Danielson, David  
Estevez, Eric  
Gagne, Larry  
Hogan, Edith  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Peterson, Ken  
Schleien, Eric  
Smith, Gregory  
Sullivan, Victoria

Ammon, Keith  
Byron, Frank  
Donovan, Daniel  
Ferreira, Elizabeth  
Gould, Linda  
Hopper, Gary  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Pierce, David  
Scotsas, Lisa  
Souza, Kathleen  
Ulery, Jordan

Balcom, John  
Christie, Rick  
Eastman, Eric  
Flanagan, Jack  
Halstead, Carolyn  
Infantine, William  
Moore, Josh  
O'Brien, William  
Parison, James  
Rice, Kimberly  
Seidel, Carl  
Stepanek, Stephen  
Wolf, Terry

Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Fromuth, Bart  
Hansen, Peter  
Kurk, Neal  
Murotake, David  
Ober, Lynne  
Pellegrino, Anthony  
Rouillard, Claire  
Simmons, Tammy  
Straight, Phillip  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
McGuire, Carol

French, Harold  
Kuch, Bill  
McGuire, Dan

Hill, Gregory  
Long, Douglas  
Parent, Jason

Hoell, J.R.  
Martin, John  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Dean-Bailey, Yvonne  
Gannon, William  
Hodgdon, Bruce  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
Tamburello, Daniel  
True, Chris  
Weyler, Kenneth

Abramson, Max  
Bates, David  
Emerick, J. Tracy  
Gordon, Richard  
Itse, Daniel  
Osborne, Jason  
Schroadter, Adam  
Tasker, Kyle  
Tucker, Pamela  
Woitkun, Steven

Allen, Mary  
Chirichiello, Brian  
Ferrante, Beverly  
Green, Dennis  
Kappler, Lawrence  
Packard, Sherman  
Spillane, James  
Thomas, Douglas  
Vose, Michael

Baldasaro, Alfred  
Cook, Allen  
Fesh, Robert  
Harris, Jeffrey  
Kolodziej, Walter  
Peckham, Michele  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Pitre, Joseph

DeLemus, Susan  
Jones, Laura  
Turcotte, Leonard

Graham, Robert  
Kaczynski, Jr., Thomas  
Whitehouse, Joshua

Groen, Warren  
Leeman, Don

**SULLIVAN**

Rollins, Skip

## NAYS - 210 BELKNAP

Fields, Dennis	Flanders, Donald	Spanos, Peter	Tilton, Franklin
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## CARROLL

Butler, Edward Schmidt, Stephen	McConkey, Mark Ticehurst, Susan	Nelson, Bill Umberger, Karen	Parker, Harold Wright, Ted
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## CHESHIRE

Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Shepardson, Marjorie Weber, Lucy	Ames, Richard Eaton, Daniel Mann, John Roberts, Kris Sterling, Franklin	Berch, Paul Hunt, John Parkhurst, Henry Robertson, Timothy Tatro, Bruce	Bordenet, John Johnsen, Gladys Pearson, William Sad, Tara Tilton, Benjamin
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## COOS

Fothergill, John Richardson, Herbert	Froburg, Alethea Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne Thomas, Yvonne
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## GRAFTON

Abel, Richard Cooney, Mary Hennessey, Martha Nordgren, Sharon Townsend, Charles	Almy, Susan Darrow, Stephen Higgins, Patricia Piper, Wendy White, Andrew	Bailey, Brad Ford, Susan Maes, Kevin Smith, Suzanne	Brown, Rebecca Gionet, Edmond Massimilla, Linda Sykes, George
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## HILLSBOROUGH

Backus, Robert Biggie, Barbara Christiansen, Lars DiSilvestro, Linda Goley, Jeffrey Haefner, Robert Herbert, Christopher Lachance, Joseph Mangipudi, Latha Palmer, Barry Rosenwald, Cindy Smith, Timothy Takesian, Charlene	Baroody, Benjamin Booras, Efstathia Cohen, Alan Edwards, Elizabeth Gorman, Mary Hansberry, Daniel Hinch, Richard LeBrun, Donald Manley, Jonathan Porter, Marjorie Rowe, Robert Snow, Kendall Vann, Ivy	Beaulieu, Jane Brown, Pamela Cornell, Patricia Freitas, Mary Griffin, Barbara Harvey, Suzanne Jack, Martin Leishman, Peter McCarthy, Peggy Proulx, Mark Shattuck, Gilman Soucy, Timothy Williams, Kermit	Belanger, James Christensen, Chris Cote, David Gidge, Kenneth Guerette, C. Lee Heath, Mary Jeudy, Jean Long, Patrick O'Brien, Michael Roberts, Carol Shaw, Barbara Sullivan, Daniel Woodbury, David
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## MERRIMACK

Alicea, Caroletta Deloge, Helen Gile, Mary Kenison, Linda MacKay, James Patten, Dick Saunderson, George Wallner, Mary Jane	Bartlett, Christy Doherty, David Henle, Paul Kidder, David Marple, Richard Ratzki, Mario Schuett, Dianne	Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kotowski, Frank Moffett, Howard Rice, Chip Shurtleff, Stephen	Carson, Clyde French, Barbara Karrick, David Luneau, David Myler, Mel Rogers, Katherine Turcotte, Alan
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## ROCKINGHAM

Azarian, Gary Cali-Pitts, Jacqueline Cushing, Robert Doucette, Fred Gordon, Pamela	Berrien, Skip Cardon, G. Thomas DeSimone, Debra Duarte, Joe Griffin, Mary	Borden, David Chase, Francis Devine, James Elliott, Robert Guthrie, Joseph	Cahill, Michael Christie, Andrew DiFranco, Debbie Francesse, Paula Hagan, Joseph
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Heffron, Frank  
Lovejoy, Patricia  
McMahon, Charles  
Potucek, John  
Sytek, John

Hoelzel, Kathleen  
Matthews, Carolyn  
Milz, David  
Rice, Frederick  
Ward, Gerald

Introne, Robert  
McBeath, Rebecca  
O'Connor, John  
Sherman, Thomas  
Webb, James

Katsakiores, Phyllis  
McKinney, Betsy  
Pantelakos, Laura  
Simpson, Alexis  
Welch, David

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Southworth, Thomas  
Treleven, Susan  
Wuelper, Kurt

Berube, Roger  
Cilley, Jacalyn  
Mullen, John  
Spang, Judith  
Verschueren, James

Bickford, David  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Bixby, Peter  
Gray, James  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

and floor amendment (0460h) failed.  
Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Baldasaro offered floor amendment (0493h).

**Floor Amendment (0493h)**

Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:  
(c) All veterans who are current New Hampshire residents shall receive medical and medical-related services from any hospital in this state providing services to the newly eligible Medicaid population.

(d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

**AMENDED ANALYSIS**

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. This bill also allows veterans who are New Hampshire residents to receive services under the New Hampshire health protection program.  
Rep. Umberger spoke in favor.  
Rep. Baldasaro spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 302 NAYS 48**

**YEAS - 302**

**BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Luther, Robert  
Varney, Peter

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Tilton, Franklin

Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen



**CHESHIRE**

Abbott, Michael	Ames, Richard	Chase, Cynthia	Eaton, Daniel
Hunt, John	Johnsen, Gladys	Ley, Douglas	Mann, John
McConnell, James	Parkhurst, Henry	Pearson, William	Roberts, Kris
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin			

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John			

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Duane
Brown, Rebecca	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Baroody, Benjamin	Beaulieu, Jane	Belanger, James	Biggie, Barbara
Boehm, Ralph	Booras, Efstathia	Brown, Pamela	Burt, John
Byron, Frank	Christensen, Chris	Christie, Rick	Coffey, James
Cohen, Alan	Cornell, Patricia	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Freitas, Mary
Fromuth, Bart	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gould, Linda	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Jack, Martin	Jeudy, Jean	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, Michael	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly
Roberts, Carol	Rouillard, Claire	Rowe, Robert	Schleien, Eric
Scotsas, Lisa	Seidel, Carl	Shattuck, Gilman	Shaw, Barbara
Simmons, Tammy	Smith, Gregory	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Sullivan, Daniel	Sullivan, Victoria	Takesian, Charlene	Ulery, Jordan
Vann, Ivy	Wolf, Terry	Zaricki, Nick	

**MERRIMACK**

Alicea, Caroletta	Bradley, Paula	Brewster, Michael	Carson, Clyde
Deloge, Helen	Ebel, Karen	French, Barbara	French, Harold
Gile, Mary	Henle, Paul	Hill, Gregory	Hirsch, Geoffrey
Hoell, J.R.	Hom, Werner	Karrick, David	Kenison, Linda
Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Luneau, David	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Moffett, Howard	Myler, Mel	Parent, Jason
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Seaworth, Brian	Turcotte, Alan	Walsh, Thomas	

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Cahill, Michael
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Doucette, Fred	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Francese, Paula	Gannon, William	Gordon, Pamela	Gordon, Richard
Green, Dennis	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Lovejoy, Patricia	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Pantelakos, Laura	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Sherman, Thomas	Simpson, Alexis	Spillane, James	Sweeney, Joe
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
Tilton, Rio	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Beaudoin, Steven	Berube, Roger	Bickford, David	Bixby, Peter
Cilley, Jacalyn	DeLemus, Susan	DiSesa, Len	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John
Pitre, Joseph	Smith, Marjorie	Southworth, Thomas	Sprague, Dale
Stevens, Audrey	Turcotte, Leonard	Whitehouse, Joshua	

**SULLIVAN**

Cloutier, John	Gottling, Suzanne	Grenier, James	Laware, Thomas
Rollins, Skip	Smith, Steven		

**NAYS - 48**

**BELKNAP**

Sylvia, Michael

**CARROLL**

Butler, Edward	Ticehurst, Susan
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**CHESHIRE**

Berch, Paul	Bordenet, John	Phillips, Larry	Robertson, Timothy
Weber, Lucy			

**COOS**

Thomas, Yvonne

**GRAFTON**

Cooney, Mary	Ford, Susan	Nordgren, Sharon	Sykes, George
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**HILLSBOROUGH**

Cote, David	Gorman, Mary	Griffin, Barbara	Kurk, Neal
Porter, Marjorie	Rosenwald, Cindy	Williams, Kermit	Woodbury, David

**MERRIMACK**

Bartlett, Christy	Doherty, David	Mackay, James	Rice, Chip
Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane	

**ROCKINGHAM**

Berrien, Skip  
Ward, Gerald

Borden, David

Cali-Pitts, Jacqueline

McBeath, Rebecca

**STRAFFORD**

Baber, William  
Treleven, Susan  
Wuelper, Kurt

Burton, Wayne  
Verschueren, James

Schmidt, Peter  
Wall, Janet

Spang, Judith  
Ward, Kenneth

**SULLIVAN**

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Irwin, Virginia

O'Hearne, Andrew

and floor amendment (0493h) was adopted.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Hoell offered floor amendment (0481h).

**Floor Amendment (0481h)**

Amend the title of the bill by replacing it with the following:

AN ACT: requesting a modification of the New Hampshire health protection program and establishing an advisory commission relative to the use of health savings accounts for a certain population.

Amend the section heading and the amending language of section 12 of the bill by replacing them with the following:

12 New Sections; Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program; Health and Human Services Health Savings Account Advisory Commission. Amend RSA 126-A by inserting after section 126-A:5-d the following new sections:

Amend section 12 of the bill by inserting after RSA 126-A:5-e the following new section:

126-A:5-f Health and Human Services Health Savings Account Advisory Commission.

I. There is established the health and human services health savings account advisory commission to advise the commissioner of the department of health and human services and the general court on the potential for use of health savings accounts for use by the population above 100 percent of the federal poverty level. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

(c) The commissioner of the department of health and human services, or designee.

(d) One public member, appointed by the president of the senate.

(e) One public member, appointed by the speaker of the house of representatives.

(f) One public member, appointed by the governor.

(g) A representative of a critical access hospital, nominated by the New Hampshire Hospital Association and appointed by governor and council.

(h) A representative of a non-critical hospital that is not a member of the New Hampshire Hospital Association, nominated by joint agreement of the president of the senate and the speaker of the house of representatives and appointed by governor and council.

(i) One member who is an executive director of a community mental health center, nominated by the New Hampshire Community Behavioral Health Association and appointed by governor and council.

(j) A representative of the community health centers, nominated by the Bi-State Primary Care Association and appointed by the governor and council.

(k) One member who is an executive director of an area agency, appointed by the governor and council.

II.(a) The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner, or designee, and shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall:

(a) Study the potential for use of health savings accounts by the population above 100 percent of the federal poverty level.

(b) Study the potential for use of catastrophic health coverage in combination with health savings accounts including options for federal funding or solely state funding.

(c) Study other existing state plans utilizing health savings accounts such as the Healthy Indiana Plan, including the costs of the Healthy Indiana Plan and the estimated costs if a similar plan were implemented in New Hampshire, the number of people covered by the Healthy Indiana Plan compared to the number covered by Medicaid expansion, and how to modify the waiver received by Indiana so that a similar program could be implemented in New Hampshire.

(d) Study options for expansion of medical services cost transparency.

(e) Serve as a forum for a formal hearing and public comment.

(f) Receive input from experts in health care with knowledge and/or experience in the implementation of health savings accounts and input from interested stakeholders.

(g) Create any subcommittees it deems necessary, which may include members of the public appointed by the chairperson, to assist with the research, analysis, or other work necessary to support its recommendations.

IV. The department of health and human services shall provide administrative support to the commission and provide such information, data, testimony, and the assistance as requested by the commission.

V. On or before October 1, 2016, the commission shall make a report of its findings and recommendations to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the commissioner of the department of health and human services, and the state library.

Amend the bill by replacing all after section 15 with the following:

16 Repeal. RSA 126-A:5-f, relative to the health and human services health savings account advisory commission, is repealed.

17 Effective Date.

I. Section 2 of this act shall take effect July 1, 2017.

II. Section 15 of this act shall take effect December 1, 2017.

III. Section 16 of this act shall take effect October 1, 2016.

IV. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. This bill also establishes an advisory commission to advise the commissioner of the department of health and human services and the general court on the potential use of health savings accounts for the population above 100 percent of the federal poverty level.

Rep. Hoell spoke in favor.

Rep. Kotowski spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 116 NAYS 215**

### YEAS - 116

### BELKNAP

Aldrich, Glen  
LeBreche, Shari

Dumais, Russell  
Sylvia, Michael

Fraser, Valerie  
Vadney, Herbert

Howard, Jr., Raymond  
Varney, Peter

### CARROLL

Avellani, Lino  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Hunt, John	Johnsen, Gladys	McConnell, James
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**COOS**

Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Brown, Duane	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Belanger, James	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christie, Rick
Coffey, James	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gould, Linda	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Parison, James
Peterson, Ken	Rice, Kimberly	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Sullivan, Victoria	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

**MERRIMACK**

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian		

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Baldasaro, Alfred	Bates, David
Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy
Ferrante, Beverly	Gannon, William	Gordon, Richard	Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Tamburello, Daniel
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	

**SULLIVAN**

Laware, Thomas
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**NAYS - 215****BELKNAP**

Fields, Dennis	Flanders, Donald	Gallagher, Brian	Spanos, Peter
Tilton, Franklin			

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Mann, John

Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Pearson, William  
Sad, Tara  
Tilton, Benjamin

Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Roberts, Kris  
Sterling, Franklin

### COOS

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

### GRAFTON

Abel, Richard  
Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Bailey, Brad  
Ford, Susan  
Ladd, Rick  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Booras, Efstathia  
Cohen, Alan  
Edwards, Elizabeth  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Lachance, Joseph  
Mangipudi, Latha  
Pellegrino, Anthony  
Roberts, Carol  
Shattuck, Gilman  
Soucy, Timothy  
Vann, Ivy

Balcom, John  
Brown, Pamela  
Cornell, Patricia  
Freitas, Mary  
Griffin, Barbara  
Harvey, Suzanne  
Jack, Martin  
LeBrun, Donald  
Manley, Jonathan  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Straight, Phillip  
Williams, Kermit

Baroody, Benjamin  
Christensen, Chris  
Cote, David  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Jeuzy, Jean  
Leishman, Peter  
McCarthy, Peggy  
Porter, Marjorie  
Rouillard, Claire  
Smith, Timothy  
Sullivan, Daniel  
Woodbury, David

Beaulieu, Jane  
Christiansen, Lars  
Danielson, David  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Long, Patrick  
O'Brien, Michael  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Takesian, Charlene

### MERRIMACK

Bartlett, Christy  
Doherty, David  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
French, Barbara  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Deloge, Helen  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

### ROCKINGHAM

Allen, Mary  
Borden, David  
Christie, Andrew  
DiFranco, Debbie  
Francese, Paula  
Hagan, Joseph  
Katsakiores, Phyllis  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Tilton, Rio  
Welch, David

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Gordon, Pamela  
Heffron, Frank  
Lovejoy, Patricia  
McMahon, Charles  
Packard, Sherman  
Sherman, Thomas  
Ward, Gerald

Barnes, Arthur  
Cardon, G. Thomas  
DeSimone, Debra  
Elliott, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Simpson, Alexis  
Ward, Joanne

Berrien, Skip  
Chase, Francis  
Devine, James  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Sytek, John  
Webb, James

### STRAFFORD

Baber, William  
Burton, Wayne

Berube, Roger  
DiSesa, Len

Bickford, David  
Gray, James

Bixby, Peter  
Horrigan, Timothy

Mullen, John  
Spang, Judith  
Verschueren, James

Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

Southworth, Thomas  
Treleaven, Susan  
Wuelper, Kurt

### SULLIVAN

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

and floor amendment (0481h) failed.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Hoell offered floor amendment (0487h).

### Floor Amendment (0487h)

Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:

(c) A person shall not be eligible to enroll or participate in the New Hampshire health protection program, established under RSA 126-A:5, XXIV-XXV, unless such person verifies his or her United States citizenship by 2 forms of identification and proof of New Hampshire residency by either a New Hampshire driver's license or a nondriver's picture identification card issued pursuant to RSA 260:21.

(d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

Rep. Hoell spoke in favor.

Rep. Kotowski spoke in favor and yielded to questions.

Rep. Weber yielded to questions.

Rep. Fromuth requested a roll call; sufficiently seconded.

**YEAS 179 NAYS 159**

### YEAS - 179

#### BELKNAP

Aldrich, Glen  
Gallagher, Brian  
Sylvia, Michael

Dumais, Russell  
Howard, Jr., Raymond  
Vadney, Herbert

Fields, Dennis  
LeBreche, Shari  
Varney, Peter

Fraser, Valerie  
Spanos, Peter

#### CARROLL

Avellani, Lino  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

#### CHESHIRE

Hunt, John

McConnell, James

Roberts, Kris

Sterling, Franklin

#### COOS

Rappaport, Laurence

Rideout, Leon

Tholl, John

#### GRAFTON

Bailey, Brad  
Ingbreton, Paul

Brown, Duane  
Johnson, Eric

Gionet, Edmond  
Shackett, Jeffrey

Hull, Robert

#### HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara

Ammon, Keith  
Boehm, Ralph

Balcom, John  
Burt, John

Belanger, James  
Byron, Frank

Christensen, Chris  
 Danielson, David  
 Estevez, Eric  
 Gagne, Larry  
 Haefner, Robert  
 Hogan, Edith  
 LeBrun, Donald  
 Moore, Josh  
 O'Brien, William  
 Peterson, Ken  
 Rowe, Robert  
 Simmons, Tammy  
 Straight, Phillip  
 Zaricki, Nick

Christiansen, Lars  
 Donovan, Daniel  
 Ferreira, Elizabeth  
 Gonzalez, Carlos  
 Halstead, Carolyn  
 Hopper, Gary  
 McCarthy, Peggy  
 Murotake, David  
 Ober, Lynne  
 Pierce, David  
 Schleien, Eric  
 Smith, Gregory  
 Sullivan, Victoria

Christie, Rick  
 Eastman, Eric  
 Flanagan, Jack  
 Gould, Linda  
 Hansen, Peter  
 Kurk, Neal  
 McClarren, Donald  
 Murphy, Keith  
 Ohm, Bill  
 Proulx, Mark  
 Scountsas, Lisa  
 Souza, Kathleen  
 Ulery, Jordan

Coffey, James  
 Edelblut, Frank  
 Fromuth, Bart  
 Griffin, Barbara  
 Hinch, Richard  
 Lachance, Joseph  
 McLean, Mark  
 Notter, Jeanine  
 Parison, James  
 Rouillard, Claire  
 Seidel, Carl  
 Stepanek, Stephen  
 Wolf, Terry

### MERRIMACK

Brewster, Michael  
 Hoell, J.R.  
 Marple, Richard  
 Seaworth, Brian

Ebel, Karen  
 Horn, Werner  
 Martin, John

French, Harold  
 Kotowski, Frank  
 McGuire, Carol

Hill, Gregory  
 Kuch, Bill  
 McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
 Baldasaro, Alfred  
 Christie, Andrew  
 Devine, James  
 Ferrante, Beverly  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Nigrello, Robert  
 Pantelakos, Laura  
 Rice, Frederick  
 Tamburello, Daniel  
 Tucker, Pamela  
 Welch, David

Abramson, Max  
 Barnes, Arthur  
 Cook, Allen  
 Doucette, Fred  
 Gannon, William  
 Hagan, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 O'Connor, John  
 Peckham, Michele  
 Schroadter, Adam  
 Thomas, Douglas  
 Vose, Michael  
 Weyler, Kenneth

Allen, Mary  
 Bates, David  
 Dean-Bailey, Yvonne  
 Duarte, Joe  
 Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Matthews, Carolyn  
 Osborne, Jason  
 Potucek, John  
 Spillane, James  
 Tilton, Rio  
 Ward, Joanne  
 Woitkun, Steven

Azarian, Gary  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 McMahon, Charles  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sweeney, Joe  
 True, Chris  
 Webb, James

### STRAFFORD

Beaudoin, Steven  
 Groen, Warren  
 Leeman, Don

DeLermus, Susan  
 Hannon, Joseph  
 Mullen, John

Graham, Robert  
 Jones, Laura  
 Pitre, Joseph

Gray, James  
 Kaczynski, Jr., Thomas  
 Turcotte, Leonard

### SULLIVAN

Laware, Thomas

Rollins, Skip

### NAYS - 159

#### BELKNAP

Flanders, Donald

Luther, Robert

Tilton, Franklin

#### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
 Chase, Cynthia  
 Mann, John  
 Robertson, Timothy  
 Tilton, Benjamin

Ames, Richard  
 Eaton, Daniel  
 Parkhurst, Henry  
 Sad, Tara  
 Weber, Lucy

Berch, Paul  
 Johnsen, Gladys  
 Pearson, William  
 Shepardson, Marjorie

Bordenet, John  
 Ley, Douglas  
 Phillips, Larry  
 Tatro, Bruce



**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Ladd, Rick  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Edwards, Elizabeth  
Gorman, Mary  
Heath, Mary  
Leishman, Peter  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel  
Woodbury, David

Baroody, Benjamin  
Cohen, Alan  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Mangipudi, Latha  
Roberts, Carol  
Smith, Timothy  
Takesian, Charlene

Beaulieu, Jane  
Cornell, Patricia  
Gidge, Kenneth  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

Booras, Efstathia  
Cote, David  
Goley, Jeffrey  
Harvey, Suzanne  
Jeudy, Jean  
O'Brien, Michael  
Shattuck, Gilman  
Soucy, Timothy  
Williams, Kermit

**MERRIMACK**

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
French, Barbara  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

Carson, Clyde  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Deloge, Helen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Berrien, Skip  
Cardon, G. Thomas  
Elliott, Robert  
Guthrie, Joseph  
McKinney, Betsy  
Sytek, John

Borden, David  
Chase, Francis  
Fesh, Robert  
Heffron, Frank  
Milz, David  
Ward, Gerald

Cahill, Michael  
Cushing, Robert  
Francese, Paula  
Lovejoy, Patricia  
Sherman, Thomas

Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Gordon, Pamela  
McBeath, Rebecca  
Simpson, Alexis

**STRAFFORD**

Baber, William  
Burton, Wayne  
Smith, Marjorie  
Treleven, Susan  
Wuelper, Kurt

Berube, Roger  
DiSesa, Len  
Southworth, Thomas  
Verschueren, James

Bickford, David  
Horrigan, Timothy  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Schmidt, Peter  
Stevens, Audrey  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

and floor amendment (0487h) was adopted.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Hoell offered floor amendment (0494h).

**Floor Amendment (0494h)**

Amend RSA 126-A:5, XXX as inserted by section 1 of the bill by deleting subparagraph (a)(6).

Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:

(c) No person, organization, department, or agency shall submit the name of any person to the National Instant Criminal Background Check System (NICS) on the basis that the person has been adjudicated a "mental defective" or has been committed to a mental institution, except pursuant to a court order issued following a hearing in which the person participated and was represented by an attorney.

(d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

Reps. Hoell and Kotowski spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 193 NAYS 146**

**YEAS - 193****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Vadney, Herbert
Varney, Peter			

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

**CHESHIRE**

Hunt, John	McConnell, James	Roberts, Kris	Sterling, Franklin
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**COOS**

Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christie, Rick	Coffey, James	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gonzalez, Carlos	Gould, Linda	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ohm, Bill	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Rice, Kimberly	Roberts, Carol	Rouillard, Claire	Schleien, Eric
Scoutsas, Lisa	Seidel, Carl	Shaw, Barbara	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Sullivan, Victoria	Takesian, Charlene	Ulery, Jordan	Zaricki, Nick

**MERRIMACK**

Bradley, Paula  
Hoell, J.R.  
Marple, Richard  
Seaworth, Brian

Brewster, Michael  
Horn, Werner  
Martin, John  
Walsh, Thomas

French, Harold  
Kotowski, Frank  
McGuire, Carol

Hill, Gregory  
Kuch, Bill  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Hagan, Joseph  
Itse, Daniel  
Matthews, Carolyn  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne  
Woitkun, Steven

Abramson, Max  
Bates, David  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Rice, Frederick  
Sytek, John  
True, Chris  
Webb, James

Allen, Mary  
Cardon, G. Thomas  
Cook, Allen  
Duarte, Joe  
Fesh, Robert  
Griffin, Mary  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Nigrello, Robert  
Peckham, Michele  
Schroader, Adam  
Tamburello, Daniel  
Tucker, Pamela  
Welch, David

Azarian, Gary  
Chase, Francis  
Dean-Bailey, Yvonne  
Elliott, Robert  
Gannon, William  
Guthrie, Joseph  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Potucek, John  
Spillane, James  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Berube, Roger  
Groen, Warren  
Leeman, Don  
Whitehouse, Joshua

Bickford, David  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

DeLemus, Susan  
Jones, Laura  
Pitre, Joseph

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 146****BELKNAP**

Tilton, Franklin

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Shepardson, Marjorie

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Bordenet, John  
Ley, Douglas  
Robertson, Timothy  
Tilton, Benjamin

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, Charles

Brown, Rebecca  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Cote, David

Baroody, Benjamin  
Christiansen, Lars  
Freitas, Mary

Beaulieu, Jane  
Cohen, Alars  
Gidge, Kenneth

Booras, Efstathia  
Cornell, Patricia  
Goley, Jeffrey

Gorman, Mary  
Herbert, Christopher  
Long, Patrick  
Porter, Marjorie  
Smith, Timothy  
Vann, Ivy

Hansberry, Daniel  
Jack, Martin  
Mangipudi, Latha  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

Harvey, Suzanne  
Jeudy, Jean  
Manley, Jonathan  
Rowe, Robert  
Soucy, Timothy  
Wolf, Terry

Heath, Mary  
Leishman, Peter  
O'Brien, Michael  
Shattuck, Gilman  
Sullivan, Daniel  
Woodbury, David

### MERRIMACK

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Luneau, David  
Patten, Dick  
Schuett, Dianne

Deloge, Helen  
French, Barbara  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Doherty, David  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Ebel, Karen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

### ROCKINGHAM

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Gordon, Pamela  
McBeath, Rebecca  
Sherman, Thomas

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
McKinney, Betsy  
Simpson, Alexis

Borden, David  
DiFranco, Debbie  
Introne, Robert  
Milz, David  
Ward, Gerald

Cahill, Michael  
Francesca, Paula  
Lovejoy, Patricia  
Pantelakos, Laura

### STRAFFORD

Baber, William  
DiSesa, Len  
Smith, Marjorie  
Treleaven, Susan

Bixby, Peter  
Gray, James  
Southworth, Thomas  
Verschuere, James

Burton, Wayne  
Horrigan, Timothy  
Spang, Judith  
Wall, Janet

Cilley, Jacalyn  
Schmidt, Peter  
Stevens, Audrey  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

and floor amendment (0494h) was adopted.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

### (Rep. Packard in the Chair)

Reps. Edelblut and Dan McGuire spoke against.

Reps. Lachance and Kotowski spoke in favor and yielded to questions.

Rep. Fromuth spoke against and yielded to questions.

### MOTION TO LAY ON THE TABLE

Rep. Spillane moved that **HB 1696-FN**, requesting a modification of the New Hampshire health protection program, be laid on the table.

Rep. Umberger requested a roll call; sufficiently seconded.

Rep. Spillane withdrew his motion.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

### (Speaker Jasper in the Chair)

Rep. Joanne Ward spoke against.

Rep. Umberger spoke in favor and yielded to questions.

### MOTION TO PRINT REMARKS

Rep. William O'Brien moved that the Parliamentary Inquiry made by Rep. Hoell and the answer by Speaker Jasper be printed in the Permanent Journal.

Without objection, the Speaker so ordered.

**REMARKS**

**Representative Hoell:** Thank you, Mister Speaker. I guess this question is directed to you. We adopted three amendments; amendment numbers 493, 494 and 487. Would those be reordered because they all...

**Speaker Jasper:** They would be reordered, much as happens when we adopt the budget, so they will all be adopted sequentially.

**Representative Hoell:** Awesome, thank you.

**Speaker Jasper:** You are welcome.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Comeau spoke against.

Rep. Stephen Schmidt spoke in favor.

Rep. Timothy Smith requested a roll call; sufficiently seconded.

**YEAS 207 NAYS 136****YEAS - 207****BELKNAP**

Fields, Dennis	Flanders, Donald	Luther, Robert	Tilton, Franklin
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**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

**COOS**

Fothergill, John	Frobург, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Toll, John	Thomas, Yvonne

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Booras, Efstathia	Brown, Pamela	Christensen, Chris
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
Edwards, Elizabeth	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Infantine, William	Jack, Martin	Jeady, Jean	Lachance, Joseph
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McCarthy, Peggy	O'Brien, Michael	Pierce, David	Porter, Marjorie
Proulx, Mark	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Williams, Kermit	Wolf, Terry	Woodbury, David	

**MERRIMACK**

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Deloge, Helen  
French, Barbara  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Doherty, David  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

**ROCKINGHAM**

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Francese, Paula  
Heffron, Frank  
Matthews, Carolyn  
Nigrello, Robert  
Simpson, Alexis  
Woitkun, Steven

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Elliott, Robert  
Gordon, Pamela  
Hoelzel, Kathleen  
McBeath, Rebecca  
O'Connor, John  
Sytek, John

Berrien, Skip  
Chase, Francis  
Devine, James  
Emerick, J. Tracy  
Griffin, Mary  
Katsakiores, Phyllis  
McMahon, Charles  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Christie, Andrew  
DiFranco, Debbie  
Fesh, Robert  
Guthrie, Joseph  
Lovejoy, Patricia  
Milz, David  
Sherman, Thomas  
Welch, David

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

Berube, Roger  
Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Mullen, John  
Spang, Judith  
Verschueren, James

Bixby, Peter  
Gray, James  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew

**NAYS - 136****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond  
Vadney, Herbert

Dumais, Russell  
LeBreche, Shari  
Varney, Peter

Fraser, Valerie  
Spanos, Peter

Gallagher, Brian  
Sylvia, Michael

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Brown, Duane  
Shackett, Jeffrey

Hull, Robert

Ingbreton, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Coffey, James  
Estevez, Eric  
Gagne, Larry

Ammon, Keith  
Byron, Frank  
Donovan, Daniel  
Ferreira, Elizabeth  
Gould, Linda

Biggie, Barbara  
Christiansen, Lars  
Eastman, Eric  
Flanagan, Jack  
Griffin, Barbara

Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Haefner, Robert

Halstead, Carolyn  
Kurk, Neal  
Murotake, David  
Ober, Lynne  
Pellegrino, Anthony  
Scoutsas, Lisa  
Souza, Kathleen  
Ulery, Jordan

Hansen, Peter  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Peterson, Ken  
Seidel, Carl  
Stepanek, Stephen  
Zaricki, Nick

Hogan, Edith  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Rice, Kimberly  
Simmons, Tammy  
Straight, Phillip

Hopper, Gary  
Moore, Josh  
O'Brien, William  
Parison, James  
Schleien, Eric  
Smith, Gregory  
Sullivan, Victoria

### MERRIMACK

Brewster, Michael  
Horn, Werner  
McGuire, Carol

French, Harold  
Kuch, Bill  
McGuire, Dan

Hill, Gregory  
Marple, Richard  
Seaworth, Brian

Hoell, J.R.  
Martin, John  
Walsh, Thomas

### ROCKINGHAM

Abrami, Patrick  
Bates, David  
Duarte, Joe  
Green, Dennis  
Introne, Robert  
McKinney, Betsy  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
True, Chris  
Webb, James

Abramson, Max  
Chirichiello, Brian  
Ferrante, Beverly  
Hagan, Joseph  
Itse, Daniel  
Osborne, Jason  
Rice, Frederick  
Tamburello, Daniel  
Tucker, Pamela  
Weyler, Kenneth

Allen, Mary  
Cook, Allen  
Gannon, William  
Harris, Jeffrey  
Kappler, Lawrence  
Packard, Sherman  
Schroadter, Adam  
Thomas, Douglas  
Vose, Michael

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Gordon, Richard  
Hodgdon, Bruce  
Kolodziej, Walter  
Potucek, John  
Spillane, James  
Tilton, Rio  
Ward, Joanne

### STRAFFORD

Beaudoin, Steven  
Hannon, Joseph  
Pitre, Joseph

DeLemus, Susan  
Jones, Laura  
Turcotte, Leonard

Graham, Robert  
Kaczynski, Jr., Thomas  
Whitehouse, Joshua

Groen, Warren  
Leeman, Don  
Wuelper, Kurt

### SULLIVAN

Rollins, Skip

and the majority committee report was adopted and referred to the Committee on Finance.  
Rep. Cheney declared a conflict of interest and did not participate.

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Rosenwald moved that the House reconsider its action whereby, on a roll call vote of 207-136, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

Rep. Rosenwald spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 120    NAYS 211**

### YEAS - 120

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Vadney, Herbert

Dumais, Russell  
LeBreche, Shari  
Varney, Peter

Fraser, Valerie  
Spanos, Peter

Gallagher, Brian  
Sylvia, Michael

#### CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

### CHESHIRE

McConnell, James

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**Brown, Duane  
Johnson, EricGionet, Edmond  
Smith, Suzanne

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**Adams, Christopher  
Burt, John  
Donovan, Daniel  
Estevez, Eric  
Gould, Linda  
Kurk, Neal  
Murphy, Keith  
Parison, James  
Rouillard, Claire  
Simmons, Tammy  
Ulery, JordanAmmon, Keith  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Griffin, Barbara  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Schleien, Eric  
Smith, Gregory  
Zaricki, NickBiggie, Barbara  
Christie, Rick  
Edelblut, Frank  
Flanagan, Jack  
Hansen, Peter  
Moore, Josh  
Ober, Russell  
Peterson, Ken  
Schontsas, Lisa  
Souza, KathleenBoehm, Ralph  
Coffey, James  
Edwards, Elizabeth  
Fromuth, Bart  
Infantine, William  
Murotake, David  
Ohm, Bill  
Rice, Kimberly  
Seidel, Carl  
Sullivan, Victoria**MERRIMACK**Brewster, Michael  
Kuch, Bill  
McGuire, DanFrench, Harold  
Marple, Richard  
Seaworth, BrianHoell, J.R.  
Martin, John  
Walsh, ThomasHorn, Werner  
McGuire, Carol**ROCKINGHAM**Abrami, Patrick  
Bates, David  
Emerick, J. Tracy  
Gordon, Richard  
Introne, Robert  
McKinney, Betsy  
Schroadter, Adam  
True, Chris  
Weyler, KennethAbramson, Max  
Chirichiello, Brian  
Ferrante, Beverly  
Green, Dennis  
Itse, Daniel  
Osborne, Jason  
Spillane, James  
Tucker, PamelaAllen, Mary  
Cook, Allen  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Vose, Michael  
Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
Rice, Frederick  
Tilton, Rio  
Webb, James**STRAFFORD**Beaudoin, Steven  
Hannon, Joseph  
Pitre, JosephDeLemus, Susan  
Jones, Laura  
Turcotte, LeonardGraham, Robert  
Kaczynski, Jr., ThomasGroen, Warren  
Leeman, Don**SULLIVAN**

Rollins, Skip

**NAYS - 211****BELKNAP**

Fields, Dennis

Flanders, Donald

Luther, Robert

Tilton, Franklin

**CARROLL**Buco, Thomas  
Nelson, Bill  
Wright, TedButler, Edward  
Parker, HaroldChandler, Gene  
Ticehurst, SusanMcConkey, Mark  
Umberger, Karen**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Sterling, FranklinAmes, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Tatro, BruceBerch, Paul  
Hunt, John  
Pearson, William  
Sad, Tara  
Tilton, BenjaminBordenet, John  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy



**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Nordgren, Sharon

Bailey, Brad  
Ford, Susan  
Ladd, Rick  
Piper, Wendy

Brown, Rebecca  
Hennessey, Erin  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Belanger, James  
Christiansen, Lars  
Danielson, David  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Jack, Martin  
Long, Patrick  
McClarren, Donald  
Proulx, Mark  
Shaw, Barbara  
Straight, Phillip  
Williams, Kermit

Balcom, John  
Booras, Efstathia  
Cohen, Alan  
Freitas, Mary  
Gonzalez, Carlos  
Halstead, Carolyn  
Herbert, Christopher  
Judy, Jean  
Mangipudi, Latha  
O'Brien, Michael  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Wolf, Terry

Baroody, Benjamin  
Brown, Pamela  
Cornell, Patricia  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
Lachance, Joseph  
Manley, Jonathan  
Pierce, David  
Rowe, Robert  
Snow, Kendall  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Christensen, Chris  
Cote, David  
Gidge, Kenneth  
Guerette, C. Lee  
Harvey, Suzanne  
Hogan, Edith  
Leishman, Peter  
McCarthy, Peggy  
Porter, Marjorie  
Shattuck, Gilman  
Soucy, Timothy  
Vann, Ivy

**MERRIMACK**

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

Carson, Clyde  
Frazer, June  
Hill, Gregory  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Doherty, David  
Gile, Mary  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Azarian, Gary  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Duarte, Joe  
Griffin, Mary  
Hoelzel, Kathleen  
McBeath, Rebecca  
Packard, Sherman  
Simpson, Alexis  
Ward, Joanne

Berrien, Skip  
Chase, Francis  
Devine, James  
Elliott, Robert  
Guthrie, Joseph  
Katsakiores, Phyllis  
Milz, David  
Pantelakos, Laura  
Sytek, John  
Welch, David

Borden, David  
Christie, Andrew  
DiFranco, Debbie  
Francese, Paula  
Hagan, Joseph  
Lovejoy, Patricia  
Nigrello, Robert  
Potucek, John  
Thomas, Douglas

Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Gordon, Pamela  
Heffron, Frank  
Matthews, Carolyn  
O'Connor, John  
Sherman, Thomas  
Ward, Gerald

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

Berube, Roger  
Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan  
Wuelper, Kurt

Bickford, David  
DiSesa, Len  
Mullen, John  
Spang, Judith  
Verschueren, James

Bixby, Peter  
Gray, James  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew

and the motion failed.

Rep. Cheney declared a conflict of interest and did not participate.

**REGULAR CALENDAR CONT'D****HB 1560-FN, relative to abortion procedures. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Linda Kenison for the Majority of Judiciary. This bill seeks to add a new section to New Hampshire RSA 132 (Protection for Maternity and Infancy) which would prohibit the most common method of second-trimester pre-viability abortion to the ten percent (10%) of women who make a difficult decision to terminate their pregnancy. The medical term for this safe procedure is called non-intact D&E (Dilation and Evacuation). Across the country, this procedure is performed on the ten percent of women, ninety-five percent (95%) of the time. Other jurisdictions, as recently as January 22, 2016, have held nearly identical statutory language which banned this very type of D&E, likely unconstitutional. *Nausier v. Kansas*, Court of Appeals of the State of Kansas (2016). The appellate court refused to overrule the lower court's injunction which kept the law from taking effect, reasoning that the statute violated the Kansas Constitution's Bill of Rights and the United States Constitution's 14th Amendment. Similarly, the United States Supreme Court determined this to be a safe alternative to the Partial-Birth Abortion Ban Act of 2003 (a federal statute regulating abortion procedures.) *Gonzales v. Carhart*, 550 US 127 (2007). The *Gonzales* case also recognized long-standing law which prohibits an undue interference for the state on a woman's right to terminate their pregnancy prior to viability. *Roe v. Wade*, 410 US 113 (1973). This bill, if passed, will likely force New Hampshire into costly and unnecessary litigation. In addition to the constitutional issues, the bill's language is discriminatory and disregards the individual rights of women New Hampshire citizens. The bill allows a court to determine whether the identity of the women should be disclosed in "every civil criminal, or administrative proceeding," regardless of her consent to such disclosure. It further allows only a "married" father of the unborn to bring an action for civil damages, yet does not provide the right to an unmarried father or same-sex spouse. This bill also criminalizes health care providers for practicing medicine in a manner they determine is medically sound and is in the best interest of their patients. This bill imposes criminal penalties, including a class A felony for physicians and other medical providers who perform this procedure. We are trusted with the responsibility to pass laws for all the citizens of New Hampshire. This bill, as worded, falls short of our responsibility and violates the laws of the State of New Hampshire and United States Constitution. Vote 9-7.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes the dismemberment abortion procedure known as Dilation and Evacuation [D&E] is so monstrous it should be illegal. No baby should ever be subjected to being physically torn limb-from-limb, which is precisely what the D&E does. Our constitution forbids "cruel and unusual" punishment for crimes. We apply this principle even to those who have committed crimes so serious they have received the death penalty. We believe the pre-born child, having committed no crime, deserves similar mercy. Even more, our State should do all it can to protect every baby from such a torturous procedure. We believe the Supreme Court would follow the same logic it used to uphold the Partial Birth Abortion ban and uphold the D&E ban.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Souza spoke against.

**(Rep. Packard in the Chair)**

Reps. Itse, Wuelper and Frank McCarthy spoke against.

Rep. Kenison spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 163 NAYS 136**

**YEAS - 163**

**BELKNAP**

Fields, Dennis

Fraser, Valerie

Vadney, Herbert

**CARROLL**

Butler, Edward

Ticehurst, Susan

Umberger, Karen

Wright, Ted

**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Sterling, FranklinAmes, Richard  
Eaton, Daniel  
McConnell, James  
Robertson, Timothy  
Tatro, BruceBerch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Weber, LucyBordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie**COOS**Froborg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**Abel, Richard  
Ford, Susan  
Maes, Kevin  
Smith, SuzanneAlmy, Susan  
Hennessey, Erin  
Massimilla, Linda  
Sykes, GeorgeBrown, Rebecca  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, CharlesCooney, Mary  
Higgins, Patricia  
Piper, Wendy**HILLSBOROUGH**Backus, Robert  
Christensen, Chris  
Cote, David  
Goley, Jeffrey  
Heath, Mary  
Leishman, Peter  
Porter, Marjorie  
Rowe, Robert  
Shaw, Barbara  
Sullivan, Daniel  
Woodbury, DavidBeaulieu, Jane  
Christiansen, Lars  
Edwards, Elizabeth  
Gorman, Mary  
Herbert, Christopher  
Mangipudi, Latha  
Proulx, Mark  
Schleien, Eric  
Smith, Gregory  
Takesian, Charlene  
Zaricki, NickBrown, Pamela  
Cohen, Alan  
Freitas, Mary  
Guerette, C. Lee  
Jack, Martin  
Manley, Jonathan  
Rosenwald, Cindy  
Scotsas, Lisa  
Smith, Timothy  
Williams, KermitByron, Frank  
Cornell, Patricia  
Gidge, Kenneth  
Harvey, Suzanne  
Kurk, Neal  
O'Brien, Michael  
Rouillard, Claire  
Shattuck, Gilman  
Snow, Kendall  
Wolf, Terry**MERRIMACK**Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Luneau, David  
Moffett, Howard  
Rogers, Katherine  
Shurtleff, StephenCarson, Clyde  
French, Barbara  
Karrick, David  
MacKay, James  
Myler, Mel  
Saunderson, George  
Wallner, Mary JaneDeloge, Helen  
Gile, Mary  
Kenison, Linda  
Marple, Richard  
Ratzki, Mario  
Schuett, DianneDoherty, David  
Henle, Paul  
Kotowski, Frank  
Martin, John  
Rice, Chip  
Seaworth, Brian**ROCKINGHAM**Abrami, Patrick  
Cahill, Michael  
DiFranco, Debbie  
Griffin, Mary  
McBeath, Rebecca  
Rice, FrederickAzarian, Gary  
Cali-Pitts, Jacqueline  
Doucette, Fred  
Guthrie, Joseph  
Milz, David  
Simpson, AlexisBerrien, Skip  
Chase, Francis  
Ferrante, Beverly  
Heffron, Frank  
Pantelakos, Laura  
Sweeney, JoeBorden, David  
Cushing, Robert  
Gordon, Pamela  
Lovejoy, Patricia  
Potucek, John  
Ward, Gerald**STRAFFORD**Baber, William  
DiSesa, Len  
Smith, Marjorie  
Stevens, Audrey  
Ward, KennethBickford, David  
Horrigan, Timothy  
Southworth, Thomas  
Treleaven, SusanBixby, Peter  
Kaen, Naida  
Spang, Judith  
Verschueren, JamesBurton, Wayne  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Smith, Steven

**NAYS - 136****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond  
Tilton, Franklin

Dumais, Russell  
LeBreche, Shari

Flanders, Donald  
Luther, Robert

Gallagher, Brian  
Spanos, Peter

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Buco, Thomas  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

**COOS**

Fothergill, John

Rappaport, Laurence

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Hull, Robert

Brown, Duane  
Ingbretson, Paul

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Coffey, James  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Judy, Jean  
McLean, Mark  
Ohm, Bill  
Rice, Kimberly  
Straight, Phillip

Ammon, Keith  
Boehm, Ralph  
Danielson, David  
Fromuth, Bart  
Griffin, Barbara  
Hinch, Richard  
Lachance, Joseph  
Moore, Josh  
Parison, James  
Seidel, Carl  
Sullivan, Victoria

Baroody, Benjamin  
Burt, John  
Eastman, Eric  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
McCarthy, Peggy  
Murphy, Keith  
Pellegrino, Anthony  
Simmons, Tammy  
Ulery, Jordan

Belanger, James  
Christie, Rick  
Edelblut, Frank  
Gonzalez, Carlos  
Halstead, Carolyn  
Infantine, William  
McClarren, Donald  
Notter, Jeanine  
Pierce, David  
Souza, Kathleen

**MERRIMACK**

Brewster, Michael  
Horn, Werner

French, Harold  
McGuire, Carol

Hill, Gregory  
McGuire, Dan

Hoell, J.R.  
Walsh, Thomas

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
Prudhomme-O'Brien, Katherine  
Tilton, Rio  
Ward, Joanne

Allen, Mary  
Christie, Andrew  
Devine, James  
Fesh, Robert  
Hagan, Joseph  
Introne, Robert  
Matthews, Carolyn  
Spillane, James  
True, Chris  
Webb, James

Baldasaro, Alfred  
Cook, Allen  
Duarte, Joe  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Nigrello, Robert  
Sytek, John  
Tucker, Pamela  
Welch, David

Bates, David  
Dean-Bailey, Yvonne  
Elliott, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
O'Connor, John  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Leeman, Don  
Wuelper, Kurt

Berube, Roger  
Gray, James  
Mullen, John

Cheney, Catherine  
Groen, Warren  
Pitre, Joseph

DeLemus, Susan  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

**SULLIVAN**

Gagnon, Raymond  
and the majority committee report was adopted.

Laware, Thomas

Rollins, Skip

**HB 1627-FN, relative to the protection of infants born alive. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul Berch for the Majority of Judiciary. There are existing laws, both federal and state, that extend protections to infants born alive. This bill seeks to go beyond these laws to allow criminal prosecutions of doctors who are believed to have exceeded vague concepts relating to evidence of life, medically necessary or reasonable care, without defining these terms. A bipartisan majority of the committee felt this bill impermissibly interferes with medical professionals trying to provide the best medical care that they can. This legislation would require doctors to employ extraordinary resuscitation measures for pre-viable fetuses who are born as a result of early (pre-term) labor or abortion – even where there is no chance of viability or ultimate survival. The requirements of this bill deviate from the medical standard of care and interfere with the ability of physicians to work during a time of pregnancy loss or termination. New Hampshire currently has some of the lowest abortion rates and the best maternal health outcomes in the country, yet we heard testimony that this legislation would threaten the state's top neonatologists and fetal medicine specialists with prosecution and subject doctors and families to an invasive level of government interference. Vote 9-7.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that every baby born alive deserves nourishment and “medically appropriate and reasonable” care, even if that baby is born alive accidentally after an abortion procedure. Further, it is the role of the legislature to define crimes and establish penalties for crimes. This bill is similar to the Federal Born Alive Protection Act and requires any such baby receive such care and makes failure to provide that care a crime. With criminal cases from other states documenting that hundreds of these babies have been killed (or allowed to die with no care given), we believe our state needs to clearly identify such wanton disregard for living babies a serious crime.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Wuelper spoke against and yielded to questions.

**(Speaker Jasper in the Chair)**

Rep. Groen spoke against.

Rep. Berch spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 167 NAYS 116****YEAS - 167****BELKNAP**

Fields, Dennis

Flanders, Donald

Vadney, Herbert

**CARROLL**

Buco, Thomas  
Umberger, Karen

Butler, Edward  
Wright, Ted

McConkey, Mark

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Ames, Richard  
Eaton, Daniel  
McConnell, James  
Robertson, Timothy  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Rappaport, Laurence

**GRAFTON**

Abel, Richard  
Ford, Susan  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Hennessey, Erin  
Massimilla, Linda  
Sykes, George

Brown, Rebecca  
Hennessey, Martha  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy

**HILLSBOROUGH**

Adams, Christopher  
Brown, Pamela  
Cornell, Patricia  
Gorman, Mary  
Heath, Mary  
Judy, Jean  
Mangipudi, Latha  
Proulx, Mark  
Schleien, Eric  
Smith, Timothy  
Williams, Kermit

Baroody, Benjamin  
Byron, Frank  
Cote, David  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Manley, Jonathan  
Rosenwald, Cindy  
Shattuck, Gilman  
Snow, Kendall  
Wolf, Terry

Beaulieu, Jane  
Christensen, Chris  
Freitas, Mary  
Halstead, Carolyn  
Hinch, Richard  
Lachance, Joseph  
O'Brien, Michael  
Rouillard, Claire  
Shaw, Barbara  
Sullivan, Daniel  
Woodbury, David

Belanger, James  
Cohen, Alan  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
Porter, Marjorie  
Rowe, Robert  
Smith, Gregory  
Takesian, Charlene  
Zaricki, Nick

**MERRIMACK**

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Luneau, David  
Ratzki, Mario  
Schuett, Dianne

Carson, Clyde  
French, Barbara  
Karrick, David  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen

Deloge, Helen  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

Doherty, David  
Henle, Paul  
Kotowski, Frank  
Myler, Mel  
Saunderson, George

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Cushing, Robert  
Gordon, Pamela  
Hoelzel, Kathleen  
Nigrello, Robert  
Ward, Joanne

Azarian, Gary  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Griffin, Mary  
Lovejoy, Patricia  
Pantelakos, Laura  
Webb, James

Berrien, Skip  
Chase, Francis  
Doucette, Fred  
Guthrie, Joseph  
McBeath, Rebecca  
Simpson, Alexis

Borden, David  
Christie, Andrew  
Ferrante, Beverly  
Heffron, Frank  
Milz, David  
Ward, Gerald

**STRAFFORD**

Baber, William  
DiSesa, Len  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

Bickford, David  
Horrigan, Timothy  
Southworth, Thomas  
Treleaven, Susan

Bixby, Peter  
Kaen, Naida  
Spang, Judith  
Verschueren, James

Burton, Wayne  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

Grenier, James

**NAYS - 116****BELKNAP**

Aldrich, Glen  
LeBreche, Shari

Fraser, Valerie  
Luther, Robert

Gallagher, Brian  
Spanos, Peter

Howard, Jr., Raymond  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Nelson, Bill

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn

McCarthy, Frank

**COOS**

Fothergill, John

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hull, Robert

Brown, Duane  
Ingretson, Paul

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

**HILLSBOROUGH**

Balcom, John	Biggie, Barbara	Boehm, Ralph	Burt, John
Christie, Rick	Coffey, James	Eastman, Eric	Edelblut, Frank
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos
Gould, Linda	Griffin, Barbara	Hogan, Edith	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Parison, James	Pellegrino, Anthony
Pierce, David	Rice, Kimberly	Scoutas, Lisa	Seidel, Carl
Simmons, Tammy	Souza, Kathleen	Straight, Phillip	Sullivan, Victoria
Ulery, Jordan			

**MERRIMACK**

Brewster, Michael	French, Harold	Hoell, J.R.	Horn, Werner
Martin, John	Seaworth, Brian	Walsh, Thomas	

**ROCKINGHAM**

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Chirichiello, Brian	Cook, Allen	DeSimone, Debra	Devine, James
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Fesh, Robert
Gannon, William	Gordon, Richard	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Matthews, Carolyn	O'Connor, John	Packard, Sherman
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James
Sweeney, Joe	Sytek, John	Thomas, Douglas	Tilton, Rio
True, Chris	Tucker, Pamela	Vose, Michael	Welch, David
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Berube, Roger	Cheney, Catherine	DeLemus, Susan
Graham, Robert	Gray, James	Groen, Warren	Kaczynski, Jr., Thomas
Leeman, Don	Mullen, John	Pitre, Joseph	Turcotte, Leonard
Wuelper, Kurt			

**SULLIVAN**

Laware, Thomas      Rollins, Skip  
and the majority committee report was adopted.

**REFERRAL DECLINED**

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 1352-FN**, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees and **HB 1604-FN-A-L**, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, February 11, 2016 at 9:00 a.m.

**LATE SESSION****Third Reading and Final Passage**

**HB 1352-FN**, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.

**HB 1604-FN-A-L**, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

**RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 6:25 p.m.

**RECESS**

**(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.  
Motion adopted.



## HOUSE JOURNAL NO. 7

Thursday, February 11, 2016

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O Lord our Governor, bless the leaders of our land, that we may be a people at peace among ourselves and a blessing to other nations of the earth. To the President and members of the Cabinet, to Governors of States, Mayors of Cities, and to all in administrative authority, grant wisdom and grace in the exercise of their duties. To Senators and Representatives, and those who make our laws in States, Cities, and Towns, give courage, wisdom, and foresight to provide for the needs of all our people, and to fulfill our obligations in the community of nations. To the Judges and Officers of our Courts, give understanding and integrity, that human rights may be safeguarded and justice served. And finally, teach our people to rely on Your strength and to accept their responsibilities to their fellow citizens, that they may elect trustworthy leaders and make wise decisions for the well-being of our society; that we may serve You faithfully in our generation and honor Your Holy name. Amen.

Representative Ladd, member from Haverhill, led the Pledge of Allegiance.

The member from Windham, Representative Mary Griffin, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Alicea, Ronald Belanger, Chris Brown, Comtois, Crawford, Dean-Bailey, Duarte, Emerson, Forest, Froburg, Gardner, Gargas, Gladys Johnsen, Kellogg, Knowles, Marston, Murotake, Priestley, Sanders, Simmons, Twombly, Vose, Robert Walsh and Wheeler, the day, illness.

Reps. Barry, Bouldin, Duane Brown, Rebecca Brown, Bush, DiFranco, Donovan, Fisher, Friel, Goulette, Barbara Griffin, Halstead, Hess, Hurt, Kolodziej, Lovejoy, Luneau, O'Hearne, O'Neil, Oligny, Piper, Russell, Sanborn, Schroader, Scentsas, Timothy Smith, Spillane, Tamburello and Varney, the day, important business.

### INTRODUCTION OF GUESTS

Joel Weinrebe, guest of Rep. LeBreche. Mark and Daniel Tran, guests of Rep. Bates.

### MOTION TO SPECIAL ORDER

Rep. Bates moved that **HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service, be made a Special Order as the first order of business. Motion adopted.

### SPECIAL ORDER

**HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. This bill as amended gives the school district the authority to permit a placement of a memorial honoring an alumnus who was killed while in the military serving our country. There is no cost to the state or any municipality for the design, manufacturing, installation or maintenance of the memorial. The decision to place the memorial must be agreeable to the school board of the school that the military person has attended. Vote 7-4.

Rep. Robert Theberge for the Minority of State-Federal Relations and Veterans Affairs. This bill requires school districts to permit placement of a memorial honoring those who died during military service. The amendment still mandates school districts to permit the placement of memorials. The legislature has a long-stated belief in using local control at the local level and not mandating actions. To date, there has never been any school district within the state which has denied the placement of memorials honoring veterans. School districts have always worked with veteran organizations and non-profits for the placement of such memorial.

**Majority Amendment (0406h)**

Amend RSA 189:18-a as inserted by section 1 by replacing it with the following:

189:18-a Memorials on School Property. Each school district shall permit the placement of a memorial plaque in a suitable location, or other memorial as agreeable to the school board, at a district high school in honor of an alumnus of a junior high school or high school in the district who died during military service, provided that the cost for design, manufacture, installation, or maintenance of the memorial shall not be a charge to the state or any municipality.

Rep. Theberge spoke against.

Rep. Baldasaro spoke in favor and yielded to questions.

**MOTION TO LAY ON THE TABLE**

Rep. Heffron moved that **HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 92 NAYS 211**

**YEAS - 92**  
**BELKNAP**

Sylvia, Michael

**CARROLL**

Butler, Edward

McConkey, Mark

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Chase, Cynthia

Ley, Douglas

Mann, John

Parkhurst, Henry

Phillips, Larry

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Weber, Lucy

**COOS**

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Almy, Susan

Cooney, Mary

Ford, Susan

Hennessey, Martha

Higgins, Patricia

Maes, Kevin

Nordgren, Sharon

Sykes, George

**HILLSBOROUGH**

Ammon, Keith

Backus, Robert

Booras, Efstathia

Brown, Pamela

Cohen, Alan

Goley, Jeffrey

Gorman, Mary

Hansberry, Daniel

Hansen, Peter

Long, Patrick

O'Brien, Michael

Ober, Lynne

Ober, Russell

Palmer, Barry

Porter, Marjorie

Roberts, Carol

Rosenwald, Cindy

Shattuck, Gilman

Smith, Gregory

Takesian, Charlene

Williams, Kermit

**MERRIMACK**

Bartlett, Christy

Carson, Clyde

Deloge, Helen

Doherty, David

Frazer, June

French, Barbara

Gile, Mary

Hirsch, Geoffrey

Kidder, David

McGuire, Carol

Moffett, Howard

Ratzki, Mario

Saunderson, George

Schuett, Dianne

Shurtleff, Stephen

**ROCKINGHAM**

Allen, Mary

Barnes, Arthur

Berrien, Skip

Borden, David

Cali-Pitts, Jacqueline

Cushing, Robert

Gordon, Pamela

Heffron, Frank

Kappler, Lawrence

McBeath, Rebecca

Rice, Frederick

Sherman, Thomas

Tucker, Pamela

Ward, Gerald

**STRAFFORD**

Baber, William  
Jones, Laura  
Verschueren, James

Bickford, David  
Kaen, Naida  
Wall, Janet

Bixby, Peter  
Southworth, Thomas  
Ward, Kenneth

Horrigan, Timothy  
Spang, Judith  
Wuelper, Kurt

**SULLIVAN**

Cloutier, John

Gagnon, Raymond

Schmidt, Andrew

**NAYS - 211****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Tilton, Franklin

Fields, Dennis  
LeBreche, Shari  
Vadney, Herbert

Flanders, Donald  
Luther, Robert

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Schmidt, Stephen

Buco, Thomas  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
Nelson, Bill  
Wright, Ted

Comeau, Ed  
Parker, Harold

**CHESHIRE**

Eaton, Daniel  
Roberts, Kris

Hunt, John  
Sterling, Franklin

McConnell, James  
Tatro, Bruce

Pearson, William

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Abel, Richard  
Hull, Robert  
Massimilla, Linda  
White, Andrew

Darrow, Stephen  
Ingbreton, Paul  
Shackett, Jeffrey

Gionet, Edmond  
Johnson, Eric  
Smith, Suzanne

Hennessey, Erin  
Ladd, Rick  
Townsend, Charles

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Cote, David  
Estevez, Eric  
Fromuth, Bart  
Harvey, Suzanne  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Peggy  
Notter, Jeanine  
Pierce, David  
Rowe, Robert  
Snow, Kendall  
Sullivan, Victoria

Balcom, John  
Boehm, Ralph  
Christie, Rick  
Danielson, David  
Ferreira, Elizabeth  
Gagne, Larry  
Heath, Mary  
Jack, Martin  
Mangipudi, Latha  
McLean, Mark  
Ohm, Bill  
Proulx, Mark  
Sanborn, Laurie  
Soucy, Timothy  
Ulery, Jordan

Beaulieu, Jane  
Burt, John  
Coffey, James  
DiSilvestro, Linda  
Flanagan, Jack  
Gould, Linda  
Hinch, Richard  
Kurk, Neal  
Manley, Jonathan  
McNamara, Richard  
Parison, James  
Rice, Kimberly  
Seidel, Carl  
Straight, Phillip  
Wolf, Terry

Belanger, James  
Byron, Frank  
Cornell, Patricia  
Edelblut, Frank  
Freitas, Mary  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
Martel, Andre  
Moore, Josh  
Pellegrino, Anthony  
Rouillard, Claire  
Shaw, Barbara  
Sullivan, Daniel  
Woodbury, David

**MERRIMACK**

Bradley, Paula  
Hill, Gregory  
Kenison, Linda  
MacKay, James  
Myler, Mel  
Seaworth, Brian

Brewster, Michael  
Hoell, J.R.  
Kotowski, Frank  
Marple, Richard  
Patten, Dick  
Turcotte, Alan

Ebel, Karen  
Horn, Werner  
Kuch, Bill  
Martin, John  
Rice, Chip  
Walsh, Thomas

French, Harold  
Karrick, David  
Long, Douglas  
McGuire, Dan  
Rogers, Katherine

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Bates, David	Cahill, Michael	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	DeSimone, Debra
Devine, James	Doucette, Fred	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francesce, Paula	Gannon, William
Gordon, Richard	Green, Dennis	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Katsakiores, Phyllis	Major, Norman	Manning, John
Matthews, Carolyn	McKinney, Betsy	Milz, David	Nigrello, Robert
O'Connor, John	Osborne, Jason	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Simpson, Alexis
Tasker, Kyle	Thomas, Douglas	Tilton, Rio	True, Chris
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Beaudoin, Steven	Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	DiSesa, Len	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas	Leeman, Don
Mullen, John	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard			

**SULLIVAN**

Converse, Larry	Gottling, Suzanne	Grenier, James	Laware, Thomas
Oxenham, Lee	Rollins, Skip	Smith, Steven	
and the motion failed.			

The question now being adoption of majority committee amendment (0406h).

Rep. Robertson spoke against and yielded to questions.

Rep. Bates spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 181 NAYS 127****YEAS - 181****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Gallagher, Brian
LeBreche, Shari	Luther, Robert	Spanos, Peter	Tilton, Franklin
Vadney, Herbert			

**CARROLL**

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

**CHESHIRE**

Bordenet, John	Hunt, John	McConnell, James	Pearson, William
Roberts, Kris	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

**COOS**

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

**GRAFTON**

Abel, Richard	Almy, Susan	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Higgins, Patricia	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Massimilla, Linda	Shackett, Jeffrey
White, Andrew			

**HILLSBOROUGH**

Adams, Christopher  
Byron, Frank  
Coffey, James  
Estevez, Eric  
Gould, Linda  
Hogan, Edith  
Mangipudi, Latha  
McNamara, Richard  
Parison, James  
Roberts, Carol  
Seidel, Carl  
Straight, Phillip  
Wolf, Terry

Balcom, John  
Christensen, Chris  
Cohen, Alan  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Martel, Andre  
Moore, Josh  
Pellegrino, Anthony  
Rouillard, Claire  
Shaw, Barbara  
Sullivan, Victoria

Biggie, Barbara  
Christiansen, Lars  
Cote, David  
Fromuth, Bart  
Hansen, Peter  
Lachance, Joseph  
McCarthy, Peggy  
Notter, Jeanine  
Proulx, Mark  
Rowe, Robert  
Smith, Gregory  
Ulery, Jordan

Boehm, Ralph  
Christie, Rick  
Danielson, David  
Gagne, Larry  
Hinch, Richard  
LeBrun, Donald  
McLean, Mark  
Ohm, Bill  
Rice, Kimberly  
Sanborn, Laurie  
Snow, Kendall  
Williams, Kermit

**MERRIMACK**

Bartlett, Christy  
French, Harold  
Horn, Werner  
McGuire, Dan  
Walsh, Thomas

Brewster, Michael  
Hill, Gregory  
Kotowski, Frank  
Rogers, Katherine

Carson, Clyde  
Hirsch, Geoffrey  
Kuch, Bill  
Schuett, Dianne

Doherty, David  
Hoell, J.R.  
Martin, John  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Hoelzel, Kathleen  
Manning, John  
Nigrello, Robert  
Peckham, Michele  
Thomas, Douglas  
Webb, James

Abramson, Max  
Bates, David  
Christie, Andrew  
Doucette, Fred  
Gannon, William  
Guthrie, Joseph  
Itse, Daniel  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Tilton, Rio  
Welch, David

Allen, Mary  
Cahill, Michael  
Cook, Allen  
Elliott, Robert  
Gordon, Richard  
Hagan, Joseph  
Katsakiores, Phyllis  
McKinney, Betsy  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Tucker, Pamela  
Weyler, Kenneth

Azarian, Gary  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hodgdon, Bruce  
Major, Norman  
Milz, David  
Packard, Sherman  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
DeLemus, Susan  
Kaczynski, Jr., Thomas  
Stevens, Audrey

Bixby, Peter  
DiSesa, Len  
Leeman, Don  
Turcotte, Leonard

Burton, Wayne  
Graham, Robert  
Pitre, Joseph  
Wuelper, Kurt

Cheney, Catherine  
Groen, Warren  
Rollo, Deanna

**SULLIVAN**

Gagnon, Raymond  
Smith, Steven

Grenier, James

Laware, Thomas

Rollins, Skip

**NAYS - 127****BELKNAP**

Flanders, Donald

Fraser, Valerie

Sylvia, Michael

**CARROLL**

Butler, Edward

Nelson, Bill

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Phillips, Larry

Ames, Richard  
Ley, Douglas  
Robertson, Timothy

Berch, Paul  
Mann, John  
Sad, Tara

Chase, Cynthia  
Parkhurst, Henry  
Tilton, Benjamin

**COOS**

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**Cooney, Mary  
Nordgren, SharonFord, Susan  
Smith, SuzanneHennessey, Martha  
Sykes, GeorgeMaes, Kevin  
Townsend, Charles**HILLSBOROUGH**Ammon, Keith  
Booras, Efstathia  
DiSilvestro, Linda  
Goley, Jeffrey  
Heath, Mary  
Long, Patrick  
Ober, Russell  
Rosenwald, Cindy  
Takesian, CharleneBackus, Robert  
Brown, Pamela  
Edelblut, Frank  
Gorman, Mary  
Jack, Martin  
Manley, Jonathan  
Palmer, Barry  
Shattuck, Gilman  
Woodbury, DavidBeaulieu, Jane  
Burt, John  
Ferreira, Elizabeth  
Hansberry, Daniel  
Kurk, Neal  
O'Brien, Michael  
Pierce, David  
Soucy, TimothyBelanger, James  
Cornell, Patricia  
Freitas, Mary  
Harvey, Suzanne  
Leishman, Peter  
Ober, Lynne  
Porter, Marjorie  
Sullivan, Daniel**MERRIMACK**Bradley, Paula  
French, Barbara  
Kidder, David  
McGuire, Carol  
Ratzki, Mario  
Turcotte, AlanDeloge, Helen  
Gile, Mary  
Long, Douglas  
Moffett, Howard  
Rice, ChipEbel, Karen  
Karrick, David  
MacKay, James  
Myler, Mel  
Saunderson, GeorgeFrazer, June  
Kenison, Linda  
Marple, Richard  
Patten, Dick  
Shurtleff, Stephen**ROCKINGHAM**Barnes, Arthur  
Cardon, G. Thomas  
Gordon, Pamela  
Kappler, Lawrence  
Sherman, ThomasBerrien, Skip  
Cushing, Robert  
Harris, Jeffrey  
McBeath, Rebecca  
Simpson, AlexisBorden, David  
Fesh, Robert  
Heffron, Frank  
Pantelakos, Laura  
True, ChrisCali-Pitts, Jacqueline  
Francese, Paula  
Introne, Robert  
Rice, Frederick  
Ward, Gerald**STRAFFORD**Baber, William  
Hannon, Joseph  
Mullen, John  
Spang, Judith  
Wall, JanetBickford, David  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale  
Ward, KennethCilley, Jacalyn  
Jones, Laura  
Smith, Marjorie  
Treleaven, SusanGray, James  
Kaen, Naida  
Southworth, Thomas  
Verschueren, James**SULLIVAN**Cloutier, John  
Schmidt, Andrew

Converse, Larry

Gottling, Suzanne

Oxenham, Lee

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 192    NAYS 117****YEAS - 192****BELKNAP**Aldrich, Glen  
Gallagher, Brian  
Tilton, FranklinDumais, Russell  
LeBreche, Shari  
Vadney, HerbertFields, Dennis  
Luther, RobertFlanders, Donald  
Spanos, Peter

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

**CHESHIRE**

Ames, Richard  
McConnell, James  
Sterling, Franklin

Chase, Cynthia  
Pearson, William  
Tilton, Benjamin

Hunt, John  
Roberts, Kris

Ley, Douglas  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Almy, Susan  
Ingbretson, Paul  
Shackett, Jeffrey

Darrow, Stephen  
Johnson, Eric  
White, Andrew

Gionet, Edmond  
Ladd, Rick

Hennessey, Erin  
Massimilla, Linda

**HILLSBOROUGH**

Adams, Christopher  
Brown, Pamela  
Christie, Rick  
Cote, David  
Fromuth, Bart  
Hansberry, Daniel  
Hopper, Gary  
Martel, Andre  
Notter, Jeanine  
Proulx, Mark  
Rowe, Robert  
Smith, Gregory  
Sullivan, Daniel

Balcom, John  
Byron, Frank  
Coffey, James  
Danielson, David  
Gagne, Larry  
Hansen, Peter  
Lachance, Joseph  
McLean, Mark  
Ohm, Bill  
Rice, Kimberly  
Sanborn, Laurie  
Snow, Kendall  
Sullivan, Victoria

Biggie, Barbara  
Christensen, Chris  
Cohen, Alan  
Estevez, Eric  
Gould, Linda  
Hinch, Richard  
LeBrun, Donald  
McNamara, Richard  
Parison, James  
Roberts, Carol  
Seidel, Carl  
Soucy, Timothy  
Ulery, Jordan

Boehm, Ralph  
Christiansen, Lars  
Cornell, Patricia  
Flanagan, Jack  
Haefner, Robert  
Hogan, Edith  
Mangipudi, Latha  
Moore, Josh  
Pellegrino, Anthony  
Rouillard, Claire  
Shaw, Barbara  
Straight, Phillip  
Williams, Kermit

**MERRIMACK**

Bartlett, Christy  
Hill, Gregory  
Kotowski, Frank  
Patten, Dick

Brewster, Michael  
Hirsch, Geoffrey  
Long, Douglas  
Rogers, Katherine

Carson, Clyde  
Hoell, J.R.  
Martin, John  
Walsh, Thomas

French, Harold  
Horn, Werner  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Cahill, Michael  
Christie, Andrew  
Doucette, Fred  
Fesh, Robert  
Green, Dennis  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McKinney, Betsy  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Webb, James

Abramson, Max  
Bates, David  
Cardon, G. Thomas  
Cook, Allen  
Elliott, Robert  
Francese, Paula  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman  
Miz, David  
Packard, Sherman  
Rice, Frederick  
Tilton, Rio  
Welch, David

Allen, Mary  
Berrien, Skip  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Manning, John  
Nigrello, Robert  
Peckham, Michele  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth

Azarian, Gary  
Borden, David  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Gordon, Richard  
Hagan, Joseph  
Itse, Daniel  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Tasker, Kyle  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
DiSesa, Len  
Kaczynski, Jr., Thomas  
Sprague, Dale

Burton, Wayne  
Graham, Robert  
Leeman, Don  
Stevens, Audrey

Cheney, Catherine  
Gray, James  
Pitre, Joseph  
Turcotte, Leonard

DeLemus, Susan  
Groen, Warren  
Rollo, Deanna

**SULLIVAN**

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Rollins, Skip

Grenier, James  
Smith, Steven

Laware, Thomas

**NAYS - 117****BELKNAP**

Fraser, Valerie

Sylvia, Michael

**CARROLL**

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Mann, John  
Sad, Tara

Berch, Paul  
Parkhurst, Henry  
Tatro, Bruce

Bordenet, John  
Phillips, Larry  
Weber, Lucy

Eaton, Daniel  
Robertson, Timothy

**COOS**

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Hull, Robert  
Sykes, George

Ford, Susan  
Maes, Kevin  
Townsend, Charles

Hennessey, Martha  
Nordgren, Sharon

**HILLSBOROUGH**

Ammon, Keith  
Booras, Efstathia  
Ferreira, Elizabeth  
Harvey, Suzanne  
Leishman, Peter  
O'Brien, Michael  
Pierce, David  
Takesian, Charlene

Backus, Robert  
Burt, John  
Freitas, Mary  
Heath, Mary  
Long, Patrick  
Ober, Lynne  
Porter, Marjorie  
Wolf, Terry

Beaulieu, Jane  
DiSilvestro, Linda  
Goley, Jeffrey  
Jack, Martin  
Manley, Jonathan  
Ober, Russell  
Rosenwald, Cindy  
Woodbury, David

Belanger, James  
Edelblut, Frank  
Gorman, Mary  
Kurk, Neal  
McCarthy, Peggy  
Palmer, Barry  
Shattuck, Gilman

**MERRIMACK**

Bradley, Paula  
Frazer, June  
Kenison, Linda  
Marple, Richard  
Ratzki, Mario  
Seaworth, Brian

Deloge, Helen  
French, Barbara  
Kidder, David  
McGuire, Carol  
Rice, Chip  
Shurtleff, Stephen

Doherty, David  
Gile, Mary  
Kuch, Bill  
Moffett, Howard  
Saunderson, George  
Turcotte, Alan

Ebel, Karen  
Karrick, David  
MacKay, James  
Myler, Mel  
Schuett, Dianne

**ROCKINGHAM**

Barnes, Arthur  
Harris, Jeffrey  
Pantelakos, Laura  
Ward, Gerald

Cali-Pitts, Jacqueline  
Heffron, Frank  
Sherman, Thomas

Cushing, Robert  
Kappler, Lawrence  
Simpson, Alexis

Gordon, Pamela  
McBeath, Rebecca  
True, Chris

**STRAFFORD**

Baber, William  
Hannon, Joseph

Bickford, David  
Horrigan, Timothy

Bixby, Peter  
Jones, Laura

Cilley, Jacalyn  
Kaen, Naida



Mullen, John  
Spang, Judith  
Ward, Kenneth

Schmidt, Peter  
Treleven, Susan  
Wuelper, Kurt

Smith, Marjorie  
Verschuere, James

Southworth, Thomas  
Wall, Janet

### SULLIVAN

Cloutier, John

Gottling, Suzanne

Schmidt, Andrew

and the majority committee report was adopted and referred to the Committee on Education.

### REGULAR CALENDAR CONT'D FROM FEBRUARY 10, 2016

**HB 1641-FN-L**, relative to requiring prevailing wages on state-funded public works projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leon Rideout for the Majority of Labor, Industrial and Rehabilitative Services. The majority of the committee felt that despite testimony that this would level the playing field it would do the opposite. The majority felt that the administrative burdens would hinder a small company from bidding on a state funded project which will hinder competition. The NH Department of Administrative Services testified that passing this bill would require them to hire 6 new employees to properly administer the provisions. The approximate cost will be \$2.6 million annually. Other states that have instituted a prevailing wage law have experienced an approximate 10% increase in construction costs which would add even more strain to the NH Department of Transportation's already stretched budget, resulting in fewer projects completed. The majority was also troubled that the often cited study in testimony was a national study not a study of the NH market, therefore the study's assumption could not be accurately applied to NH. Vote 10-6. Rep. Andrew White for the Minority of Labor, Industrial and Rehabilitative Services. This bill would put more money from taxpayer-funded public construction projects into the hands of our NH workers and businesses. It would do so without increasing project costs, by preventing unscrupulous out-of-state contractors from underbidding NH-based workers and contractors. Without this law, we are shipping New Hampshire's jobs and taxpayer money out-of-state and failing to rebuild and enhance our own New Hampshire economy. Credible research shows that passing a prevailing wage law will not only direct more public dollars to our own NH workers and businesses, but also ensure construction workers on these projects receive healthcare benefits and competitive pay. The result would be the creation of at least 1,700 new jobs, nearly \$300 million in increased economic activity, and over \$7 million in new state and local tax revenues. Understanding that passing this bill would be a win for New Hampshire workers, the state, and all taxpayers, the minority voted against the motion of Inexpedient to Legislate and urge you to do the same.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Cilley and White spoke against and yielded to questions.

Rep. Flanagan spoke in favor and yielded to questions.

Rep. Rogers requested a roll call; sufficiently seconded.

### YEAS 181 NAYS 138

#### YEAS - 181

#### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
LeBreche, Shari  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

#### CARROLL

Avellani, Lino  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

#### CHESHIRE

Hunt, John

McConnell, James

Sterling, Franklin

#### COOS

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Darrow, Stephen  
Ingbreton, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

Hull, Robert  
Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Fromuth, Bart  
Hansen, Peter  
Infantine, William  
Martel, Andre  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Smith, Gregory  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Estevez, Eric  
Gagne, Larry  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Straight, Phillip  
Wolf, Terry

Balcom, John  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Gould, Linda  
Hogan, Edith  
Lachance, Joseph  
McLean, Mark  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Sullivan, Victoria

Belanger, James  
Byron, Frank  
Danielson, David  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
Moore, Josh  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Seidel, Carl  
Takesian, Charlene

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Martin, John  
Seaworth, Brian

French, Harold  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Harris, Jeffrey  
Itse, Daniel  
Manning, John  
Milz, David  
Packard, Sherman  
Rice, Frederick  
Tilton, Rio  
Webb, James

Allen, Mary  
Bates, David  
Christie, Andrew  
Doucette, Fred  
Fesh, Robert  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Sytek, John  
True, Chris  
Welch, David

Azarian, Gary  
Cardon, G. Thomas  
Cook, Allen  
Elliott, Robert  
Gannon, William  
Guthrie, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Tasker, Kyle  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Hagan, Joseph  
Introne, Robert  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, Joanne

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Sprague, Dale

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS - 138****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Parkhurst, Henry  
Robertson, Timothy  
Tilton, Benjamin

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

Bordenet, John  
Mann, John  
Roberts, Kris  
Tatro, Bruce

**COOS**

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Hennessey, Martha  
Nordgren, Sharon  
White, Andrew

Bennett, Travis  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Christiansen, Lars  
DiSilvestro, Linda  
Gorman, Mary  
Heath, Mary  
Mangipudi, Latha  
Porter, Marjorie  
Shaw, Barbara  
Williams, Kermit

Beaulieu, Jane  
Cohen, Alan  
Freitas, Mary  
Guerette, C. Lee  
Jack, Martin  
Manley, Jonathan  
Roberts, Carol  
Snow, Kendall  
Woodbury, David

Booras, Efstathia  
Cornell, Patricia  
Gidge, Kenneth  
Hansberry, Daniel  
Leishman, Peter  
McNamara, Richard  
Rosenwald, Cindy  
Soucy, Timothy

Brown, Pamela  
Cote, David  
Goley, Jeffrey  
Harvey, Suzanne  
Long, Patrick  
O'Brien, Michael  
Shattuck, Gilman  
Sullivan, Daniel

**MERRIMACK**

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

Deloge, Helen  
French, Barbara  
Karrick, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

**ROCKINGHAM**

Abramson, Max  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Simpson, Alexis

Berrien, Skip  
Cushing, Robert  
McBeath, Rebecca  
Ward, Gerald

Borden, David  
Francese, Paula  
Pantelakos, Laura  
Woitkun, Steven

Cahill, Michael  
Gordon, Pamela  
Sherman, Thomas

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Berube, Roger  
DiSesa, Len  
Schmidt, Peter  
Stevens, Audrey  
Ward, Kenneth

Bixby, Peter  
Horrigan, Timothy  
Smith, Marjorie  
Treleaven, Susan

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Verschueren, James

**SULLIVAN**

Cloutier, John  
Laware, Thomas

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne

and the majority committee report was adopted.

**REFERRAL DECLINED**

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **HB 1434-FN**, relative to out-of-home placements under the child protection act.

**REGULAR CALENDAR CONT'D****HB 1568-FN-A**, relative to prepaid road tolls for certain alternative energy vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Tilton for Public Works and Highways. This bill as amended establishes a road toll at the time of registration for vehicles powered solely by electricity. The annual toll will be equal to the amount of the state portion of the registration fee. This reestablishes a requirement that existed in NH from 1981 until 2001. The amendment and amended bill applies only to those vehicles powered solely by electricity. Currently all vehicles using the NH State highways except those powered by electricity share in the highway maintenance costs through the gas tax or other methods. Vote 15-0.

**Amendment (0335h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to prepaid road tolls for electric vehicles.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Electric Vehicle Defined. Amend RSA 259 by inserting after section 27 the following new section:

259:27-a Electric Vehicles. "Electric vehicle" shall mean a vehicle powered solely by electricity.

2 New Paragraph; Alternate Energy; Road Tolls. Amend RSA 260:52 by inserting after paragraph XVIII the following new paragraph:

XIX. Each person registering an electric vehicle shall be required to prepay road toll fees at the time of registration of the vehicle. The toll for a full 12-month year shall be equal to the state registration fee under RSA 261:141 for a full year. The toll for a period of less than a full year shall be prorated in the same manner as vehicle registrations are prorated under RSA 261:141. Any person who shall drive or cause to be driven a motor vehicle in violation of the provisions of this paragraph shall be guilty of a violation.

3 Effective Date. This act shall take effect January 1, 2017.

**AMENDED ANALYSIS**

This bill establishes prepaid road tolls for electric vehicles.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
On a division vote, with 222 members having voted in the affirmative and 95 in the negative, the committee report was adopted and referred to the Committee on Ways and Means.

**HB 1298**, relative to damage to private property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. This bill, as amended, addresses the process by which landowners may seek to recover damages caused by illegal dumping and release of pollutants caused by OHRV's and snowmobiles while traveling on an owner's property. Current statute does not provide adequate guidance to the courts, the Department of Environmental Services, or municipalities on how a landowner may recover costs for cleanup when an incident occurs, nor does it provide sufficient deterrents to prevent such activity. When an incident occurs, the bill would allow a landowner to commence a right of action for the cost of cleanup and such damages that may result from any discharges of the damaging pollutants. Additionally, a penalty of up to 3 times actual damages could be imposed and the recovery of attorney's fees incurred by the owner could be ordered. Vote 17-0.

**Amendment (0228h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Landowner's Right of Action. Amend RSA by inserting after chapter 149-O the following new chapter:

**CHAPTER 149-P****LANDOWNER'S RIGHT OF ACTION**

149-P:1 Landowner's Right of Action.

I. It is hereby declared to be in the public interest to encourage the preservation and conservation of the land, water, forest, agricultural, and wildlife resources of this state. It is also declared to be in the public interest to discourage and provide means for preventing the spoliation of such

resources from the effects of illegal dumping, and to create rights in landowners to provide the means for obtaining such objectives. It is the intention of this chapter to create a landowner's right of action in support of these purposes.

II. Notwithstanding any rules adopted by the department of environmental services, any ordinance adopted by a municipality, or any provision of law, any person, as defined in RSA 147-A:2, XII, who without authorization, intentionally, recklessly, or negligently discharges, spills, releases, pollutes, disposes, dumps, leaks, injects, or places oil, gasoline, diesel fuel, fuel oil, motor oil, automotive oil, gasoline ethers, offensive matter, hazardous waste, waste, refuse, or solid waste as those terms are defined in RSA 146-A through 146-O, upon the land of another, shall be liable to the owner of the land.

III. Upon such discharge occurring, the owner of the land may:

(a) Commence an action for the cost of cleanup and any such damages as may result from the discharge;

b) Seek injunctive relief enjoining any activity described in paragraph II, if such activity is imminent or likely;

(c) a court order requiring the person causing the discharge to contain, clean up, and remediate the discharge at such person's expense;

(d) Obtain multiple damages against the person causing the discharge of up to 3 times actual damages, based upon the degree of culpability, as determined by the trier of fact;

(e) Obtain reasonable attorneys' fees and professional fees associated with the containment, cleanup, and remediation, and the seeking and obtaining relief and damages;

(f) Require the person causing the discharge to provide a bond, or other assurances sufficient to cover the costs of containment, cleanup, and remediation, upon a showing by the owner that there is a reasonable likelihood of a judgment; and

(g) Obtain an attachment, prejudgment attachment, or trustee process in accordance with RSA 511, RSA 511-A and RSA 512.

IV.(a) This chapter shall only apply to discharges that are made directly upon the landowner's land and shall not apply to those discharges that originate from the land of another, including without limitation, discharges from any above ground or underground storage tank. However, this chapter shall not otherwise limit any other rights afforded a landowner for such discharges originating from the land of another.

(b) For the purposes of this chapter, a landowner shall include any owner holding an entire, joint, fractional, mortgage, or other ownership interest in the land, but any separate claims made by more than one such owner shall be consolidated into a single action.

(c) This chapter shall not apply to or benefit any owner holding an interest in the land making claim against any other owner holding an interest in the same land.

(d) This chapter shall not apply to a discharge on a landowner's land, when the discharge results from a motor vehicle involved in a motor vehicle accident not originating on the landowner's land.

(e) The rights and benefits conferred upon a landowner under this chapter shall not apply to any claim or claims against the state and its subdivisions.

2 Penalties; OHRV/Operator Responsibilities; Roads Included. Amend RSA 215-A:19, I(a)(1) to read as follows:

(1) To the owner of any lands where trees, shrubs, **roads**, or other property have been damaged as a result of travel over ~~their~~ **the owner's** premises by such vehicles.

3 New Subparagraph; Penalties; OHRV/Operator Responsibilities; Damage to Private Property. Amend RSA 215-A:19, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the OHRV has resulted in damage to private property.

4 New Paragraph; Penalties; OHRV/Operator Responsibilities. Amend RSA 215-A:19 by inserting after paragraph IX the following new paragraph:

X. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:

(a) The cost of clean-up and restoration to the prior condition of the lands.

(b) Multiple damages of up to 3 times actual damages, based upon the recklessness or severity of the conduct, as determined by the trier of fact.

(c) Reasonable attorney's fees necessary to the action.

5 Damage to Land; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, I(a)(1) to read as follows:

(1) To the owner of any lands where trees, shrubs, or other property have been damaged as a result of travel over ~~[his or her]~~ *the owner's* premises by such vehicles.

6 New Subparagraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the snowmobile has resulted in damage to public or private property.

7 New Paragraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA 215-C:34 by inserting after paragraph VIII the following new paragraph:

IX. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:

(a) The cost of clean-up and restoration to the prior condition of the lands;

(b) Multiple damages of up to 3 times actual damages, based upon the level of culpability of the conduct, as determined by the trier of fact; and

(c) Reasonable attorney's fees.

8 Effective Date. This act shall take effect January 1, 2017.

#### AMENDED ANALYSIS

This bill:

I. Creates a cause of action for a landowner whose land is damaged by pollution.

II. Creates a cause of action for a landowner whose land is damaged by OHRV.

III. Creates a cause of action for a landowner whose land is damaged by snowmobile use.

Committee amendment adopted.

Rep. Chris Christensen offered floor amendment (0255h).

#### Floor Amendment (0255h)

Amend RSA 215-A:19, V(f) as inserted by section 3 of the bill by replacing it with the following:

(f) The use of the OHRV has resulted in damage to public or private property.

Rep. Chris Christensen spoke in favor.

Floor amendment (0255h) adopted.

Committee report adopted and referred to the Committee on Judiciary.

**HB 1412-FN**, relative to duties of the public utilities commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill would have expanded the responsibilities of the Public Utilities Commission (PUC) to perform economic, environmental and social analyses as part of its investigations into utility regulation. The bill's fiscal note estimated that these expanded responsibilities would increase the agency's costs by \$2.7 to \$3.2 million. The prime sponsor presented an amendment at the public hearing that reduced the bill to merely asking the PUC to make judgments about the "public good." During questioning, the terms "public good" and "public interest" were determined to be synonymous. Since statute already directs the PUC to judge whether regulatory actions are in the public interest, the need for this legislation is not apparent. Vote 15-5.

Rep. William Baber for the Minority of Science, Technology and Energy. The modest intent of this bill is to extend the scope of consideration in the Public Utilities Commission's (PUC) decision processes to include the concept of "public interest" in all of their decisions given that the state is experiencing a rapid transformation in the sources and transmission of energy. Allowing the PUC to consider all factors that may impact the economy, jobs, and the environment is clearly in the best interest of the state. The minority believes the amendment will eliminate the need for a fiscal note and allows more discretion by the PUC.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Oxenham spoke against.

#### (Rep. Packard in the Chair)

Rep. Douglas Thomas spoke in favor.

On a division vote, with 201 members having voted in the affirmative and 111 in the negative, the majority committee report was adopted.

**HB 1553-FN**, transferring the administration of the telecommunications accounting unit. **OUGHT TO PASS.**

Rep. Marjorie Shepardson for Science, Technology and Energy. This bill transfers the statewide telecommunications accounting unit from the Department of Safety to the Department of Information Technology. Over the past several years, we have transitioned to a nearly total dependence on digital technologies in communications, making the Department of Information Technology a more fitting place for these functions to reside. It should make billing more efficient and reduce one employee position. The fiscal note states this bill will decrease state expenditures. Vote 19-0. Committee report adopted and referred to the Committee on Finance.

**HB 1622-FN**, relative to radioactive waste and establishing a nuclear waste storage fee. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. This bill strongly discourages the storage of nuclear waste at Seabrook Station by placing a high annual fee (\$500,000) on each cask of such waste stored on site. Investigation showed there are fourteen casks already on site that would result in an annual charge of \$7 million to Seabrook Station, money that would surely be raised from customers. Passing such costs on to ratepayers would increase what are already being considered intolerably high electricity bills in the state. Although removing the spent fuel waste from Seabrook may be an admirable goal, it is a situation Seabrook Station cannot control as the federal government has not yet provided a location or mechanism to properly dispose of such waste as required under federal law. Existing state statute (RSA 125:77-b) specifically allows interim on-site storage of nuclear fuel and spent fuel at Seabrook. Until the federal government provides a more permanent solution for long term storage or disposal, the Seabrook spent fuel waste will remain at Seabrook and there is little to nothing we can do to change that situation. In addition, RSA 125:77-b prohibits the disposal of any radioactive waste in the state, thereby making the 9 pages of the bill that would regulate the siting of a disposal site in the state unnecessary. Further, it should be noted, Seabrook's highly reliable 1,200 megawatts of carbon free electricity are critical to powering our New England electrical grid. Tinkering with it at this time could prove foolhardy. Vote 13-6.

Rep. David Borden for the Minority of Science, Technology and Energy. In January 1986, the US Department of Energy announced that it had identified a 78 square mile area centered in Hillsborough, NH as a potential site for burial of the nation's high level radioactive waste. That year, 137 towns passed warrant articles opposing the proposed waste site and the legislature passed the High Level Radioactive Waste Act. The act was signed into law by Governor Sununu. The law was repealed as part of the trailer bill in 2011. This bill reestablishes the law and ensures that no new high level radioactive waste site areas are created in our state. The amendment proposed by the minority eliminates the fees which could be assessed by the bill.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Backus spoke against and yielded to questions.

Rep. Vadney spoke in favor.

Rep. Cushing spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 171 NAYS 145**

**YEAS - 171****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
LeBreche, Shari  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Umberger, Karen

Buco, Thomas  
McCarthy, Frank

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Schmidt, Stephen

**CHESHIRE**

Bordenet, John

Hunt, John

Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Gionet, Edmond  
Ladd, Rick

Hennessey, Erin  
Shackett, Jeffrey

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Gidge, Kenneth  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Straight, Phillip

Ammon, Keith  
Boehm, Ralph  
Christiansen, Lars  
Ferreira, Elizabeth  
Gould, Linda  
Hogan, Edith  
Lachance, Joseph  
McLean, Mark  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Sullivan, Victoria

Balcom, John  
Burt, John  
Christie, Rick  
Fromuth, Bart  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
Moore, Josh  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Seidel, Carl  
Ulery, Jordan

Belanger, James  
Byron, Frank  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
Martel, Andre  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Smith, Gregory

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kidder, David  
Martin, John  
Seaworth, Brian

Hill, Gregory  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Christie, Andrew  
Doucette, Fred  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
Tilton, Rio  
Welch, David

Allen, Mary  
Cardon, G. Thomas  
Cook, Allen  
Elliott, Robert  
Gannon, William  
Hagan, Joseph  
Introne, Robert  
Lundgren, David  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
True, Chris  
Weyler, Kenneth

Azarian, Gary  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Sytek, John  
Tucker, Pamela  
Woitkun, Steven

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Manning, John  
Milz, David  
Potucek, John  
Thomas, Douglas  
Ward, Joanne

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Mullen, John

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Schmidt, Andrew

Smith, Steven

**NAYS - 145****CARROLL**

Butler, Edward

Parker, Harold

Ticehurst, Susan

Wright, Ted



**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Ley, Douglas	Mann, John	McConnell, James
Parkhurst, Henry	Pearson, William	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

**COOS**

Hatch, William	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Almy, Susan	Cooney, Mary	Darrow, Stephen
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Johnson, Eric
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Edwards, Elizabeth	Estevez, Eric
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Bartlett, Christy	Bradley, Paula	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane			

**ROCKINGHAM**

Abramson, Max	Barnes, Arthur	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Francese, Paula
Gordon, Pamela	Guthrie, Joseph	Heffron, Frank	McBeath, Rebecca
Pantelakos, Laura	Peckham, Michele	Sherman, Thomas	Simpson, Alexis
Ward, Gerald	Webb, James		

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschuieren, James
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Oxenham, Lee		

and the majority committee report was adopted.  
Rep. Estevez voted Nay and intended to vote Yea.

**(Speaker Jasper in the Chair)**

**HB 1673-FN-L**, establishing a cash balance plan within the state retirement system. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Neal Kurk for the Majority of Special Committee on Public Employee Pension Plans. This legislation, with the amendment, would enact a cash balance defined benefit pension plan for all new state employees hired on and after July 1, 2016. It does not change, or in any way affect, the current traditional defined benefit retirement plan for all current state and political subdivision employees, and it would only apply to employees of political subdivisions if and when that subdivision's governing body voted to adopt the plan. Under a cash balance plan, the employer guarantees a minimum return on each employee's retirement account regardless of the investment return on the pension plan's investments. If the pension plan earns a rate of return greater than the guaranteed minimum return, the employer and employee share the benefits of those excess investment earnings. Under this cash balance plan, an employee's retirement is funded in the first instance by annual contributions made by both the employer and employee - identical in amount to the contributions of employers and employees under NH's current defined benefit plan. The value of each employee account increases annually by an "interest credit rate" based on the federal mid-term bond rate, but with a guaranteed minimum of 5%. In addition, the retirement system Board of Trustees may vote to pay an additional dividend to all participating employees up to a maximum total of 66.7% of the total investment earnings of the retirement trust fund (including the total interest credits already paid to the employees' accounts) over any five-year rolling period. All contributions, interest credits and dividends compound annually until the employee either retires or withdraws the accumulated benefits from the plan. An employee in the cash balance plan fully vests in five years, and the account is 100% portable. Under the plan, at retirement an employee can elect to receive a 2.5% COLA as part of his final retirement benefit (to be paid for out of the member's total retirement account), and may receive up to 50% of his final retirement benefit as a lump sum. Generally speaking, the cash balance plan will be administered and invested the same way as the current plan. The primary difference between NH's current defined benefit plan and this cash balance defined benefit plan is in the method of calculating the value of the final retirement account. Under the current plan, that value is based upon an employee's years of service and his average earnings in the final years before retirement. Under this bill, that value is based upon the amount of contributions, interest credits and dividends credited to the employee's account, compounded over the employee's years of service and final retirement date. This creates somewhat greater uncertainty in the cash balance defined benefit plan in that the employee could get somewhat less in the cash balance plan than in the current plan; but that employee could also get more - perhaps significantly more, under the cash balance plan. The intent behind this cash balance defined benefit plan is to provide employee retirement benefits that are essentially the same as the retirement benefits under the current NH plan, assuming the markets generate the same rate of return over future decades that they have generated over the past six or so decades. The current NH Retirement plan is underfunded by approximately \$4 billion. A plan was put into place in 2007 to pay down that unfunded amortized actuarial liability (UAAL) over 25 years. This cash balance plan continues that robust amortization plan by contributing to the amortization schedule for every new State employee over the remaining years of that schedule. In addition, this cash balance defined benefit plan will substantially reduce the possibility that the UAAL will grow larger over time. By its very nature, a cash balance defined benefit plan is funded on a pay-as-you-go basis. This is amply demonstrated by the cash balance plan adopted by Nebraska in 2003 - the plan this legislation was closely modeled after. That plan has been very successful during both economic good times and the great recession. It was fully funded at 104% at the end of 2015, and employees have seen their accounts grow on average more than 7.90% per year over those twelve years. Vote 7-6.

Rep. Jeffrey Goley for the Minority of Special Committee on Public Employee Pension Plans. The committee only had two weeks between the public hearing and the executive session and was not able to get answers on numerous concerns we had about the legislation. One of the main concerns was - what percentage of an employee's income would be replaced at the time of retirement under a cash balance plan? The minority of the committee believes that a retiree under this plan may have their benefits significantly reduced. While the sponsor has stated that his intent is

to establish a plan that would produce a level of income replacement that is similar to the current defined benefit plan, the fact is that there have been no solid calculations produced to show that this bill would do that. There was also a legal consideration brought forward by the NH Retirement System. Staff noted that the employer contribution credit as determined by RSA 100-A:16 may violate the definitely determinable rule under the Internal Revenue Code Section 401(a). Another main factor in recommending Interim Study is that both the NH Municipal Association and the NH School Board Association testified that they would like to wait until the Decennial Retirement Commission begins its work in 2017, where the discussion on a cash balance plan could be thoroughly vetted and explored.

### **Majority Amendment (0223h)**

Amend the bill by replacing sections 1 and 2 with the following:

1 New Paragraph; Definition; Cash Balance Plan. Amend RSA 100-A:1 by inserting after paragraph I the following new paragraph:

I-a. "Cash balance plan" means the retirement plan established in RSA 100-A:58 through RSA 100-A:70 administered by the board of trustees for persons who begin service on and after July 1, 2016, and who are required to participate as a condition of employment under RSA 100-A:3, I-b or I-c.

2 New Paragraphs; Membership; Cash Balance Plan. Amend RSA 100-A:3 by inserting after paragraph I-a the following new paragraphs:

I-b. Any person who begins service on or after July 1, 2016 with the state or any department, commission, institution, or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, as an employee, teacher, permanent policeman, or permanent fireman, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

I-c. Any political subdivision employee, teacher, permanent policeman, or permanent fireman, of a non-state employer, working in a full-time position for such employer as determined by common law standards, where the employer has made a separate election under the provisions of RSA 100-A:25-a to have its employees, teachers, policemen, and firemen participate in the cash balance plan, and who begins service on or after July 1, 2016 and after the effective date of such election, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

Amend RSA 100-A:65, I as inserted by section 6 of the bill by replacing it with the following:

I. For the fiscal year beginning July 1, 2016, and each fiscal year thereafter, the actuary for the board shall perform a separate actuarial valuation of the cash balance plan using the entry age actuarial cost method.

Amend the bill by replacing section 9 with the following:

9 Effective Date. This act shall take effect July 1, 2016.

### **AMENDED ANALYSIS**

This bill establishes a cash balance pension plan for retirement system members who begin service with the state on or after July 1, 2016. Teachers, policemen, firemen, and political subdivision employee members of a non-state employer hired on or after July 1, 2016 are cash balance plan members if their employer elects to have their members participate in the cash balance plan.

### **MOTION TO LAY ON THE TABLE**

Rep. Goley moved that **HB 1673-FN-L**, establishing a cash balance plan within the state retirement system, be laid on the table.

Rep. Hinch requested a roll call; sufficiently seconded.

**YEAS 188 NAYS 127**

**YEAS - 188**

**BELKNAP**

LeBreche, Shari

Spanos, Peter

**CARROLL**

Buco, Thomas

Butler, Edward

Parker, Harold

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Hunt, John  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

**COOS**

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

Rappaport, Laurence

Theberge, Robert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Ingbretson, Paul  
Smith, Suzanne

Almy, Susan  
Hennessey, Martha  
Maes, Kevin  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Townsend, Charles

Darrow, Stephen  
Hull, Robert  
Nordgren, Sharon  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Cornell, Patricia  
Edwards, Elizabeth  
Gorman, Mary  
Heath, Mary  
Jack, Martin  
Mangipudi, Latha  
McLean, Mark  
Porter, Marjorie  
Seidel, Carl  
Soucy, Timothy  
Williams, Kermit

Baroody, Benjamin  
Brown, Pamela  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Lachance, Joseph  
Manley, Jonathan  
McNamara, Richard  
Proulx, Mark  
Shattuck, Gilman  
Souza, Kathleen  
Woodbury, David

Beaulieu, Jane  
Burt, John  
Danielson, David  
Gidge, Kenneth  
Hansberry, Daniel  
Hopper, Gary  
Leishman, Peter  
Martel, Andre  
Murphy, Keith  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel

Biggie, Barbara  
Cohen, Alan  
DiSilvestro, Linda  
Goley, Jeffrey  
Harvey, Suzanne  
Infantine, William  
Long, Patrick  
McCarthy, Peggy  
O'Brien, Michael  
Sanborn, Laurie  
Snow, Kendall  
Ulery, Jordan

**MERRIMACK**

Bartlett, Christy  
Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Doherty, David  
Gile, Mary  
Hoell, J.R.  
MacKay, James  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Brewster, Michael  
Ebel, Karen  
Henle, Paul  
Karrick, David  
Marple, Richard  
Ratzki, Mario  
Schuett, Dianne

Carson, Clyde  
Frazer, June  
Hill, Gregory  
Kenison, Linda  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

**ROCKINGHAM**

Azarian, Gary  
Berrien, Skip  
Cardon, G. Thomas  
Emerick, J. Tracy  
Hagan, Joseph  
McBeath, Rebecca  
Sherman, Thomas  
True, Chris

Baldasaro, Alfred  
Borden, David  
Cushing, Robert  
Francese, Paula  
Heffron, Frank  
McKinney, Betsy  
Simpson, Alexis  
Tucker, Pamela

Barnes, Arthur  
Cahill, Michael  
Doucette, Fred  
Gannon, William  
Itse, Daniel  
Pantelakos, Laura  
Tasker, Kyle  
Ward, Gerald

Bates, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Gordon, Pamela  
Kappler, Lawrence  
Peckham, Michele  
Tilton, Rio  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Hannon, Joseph  
Kaen, Naida  
Spang, Judith  
Turcotte, Leonard

Berube, Roger  
DeLemus, Susan  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale  
Verschueren, James

Bixby, Peter  
DiSesa, Len  
Jones, Laura  
Smith, Marjorie  
Stevens, Audrey  
Wall, Janet

Burton, Wayne  
Graham, Robert  
Kaczynski, Jr., Thomas  
Southworth, Thomas  
Treleven, Susan  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Laware, Thomas

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne

**NAYS - 127****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Tilton, Franklin

Dumais, Russell  
Gallagher, Brian  
Vadney, Herbert

Fields, Dennis  
Luther, Robert

Flanders, Donald  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Wright, Ted

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen

**CHESHIRE**

McConnell, James

Roberts, Kris

Sterling, Franklin

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Gionet, Edmond

Hennessey, Erin

Ladd, Rick

Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Christie, Rick  
Ferreira, Elizabeth  
Haefner, Robert  
Kurk, Neal  
Ober, Lynne  
Parison, James  
Rouillard, Claire  
Sullivan, Victoria

Ammon, Keith  
Byron, Frank  
Coffey, James  
Fromuth, Bart  
Hansen, Peter  
LeBrun, Donald  
Ober, Russell  
Peterson, Ken  
Rowe, Robert  
Takesian, Charlene

Balcom, John  
Christensen, Chris  
Edelblut, Frank  
Gagne, Larry  
Hinch, Richard  
Moore, Josh  
Ohm, Bill  
Pierce, David  
Smith, Gregory

Belanger, James  
Christiansen, Lars  
Estevez, Eric  
Gould, Linda  
Hogan, Edith  
Natter, Jeanine  
Palmer, Barry  
Rice, Kimberly  
Straight, Phillip

**MERRIMACK**

French, Harold  
Martin, John  
Seaworth, Brian

Horn, Werner  
McGuire, Carol  
Walsh, Thomas

Kuch, Bill  
McGuire, Dan

Long, Douglas  
Parent, Jason

**ROCKINGHAM**

Abrami, Patrick  
Chirichiello, Brian  
Ferrante, Beverly  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman  
Milz, David  
Packard, Sherman  
Sytek, John  
Welch, David

Abramson, Max  
Cook, Allen  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
Manning, John  
Nigrello, Robert  
Potucek, John  
Thomas, Douglas  
Weyler, Kenneth

Allen, Mary  
DeSimone, Debra  
Gordon, Richard  
Harris, Jeffrey  
Katsakiores, Phyllis  
Matthews, Carolyn  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Ward, Joanne

Chase, Francis  
Devine, James  
Green, Dennis  
Hodgdon, Bruce  
Lundgren, David  
McMahon, Charles  
Osborne, Jason  
Rice, Frederick  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Wuelper, Kurt

Bickford, David  
Leeman, Don

Cheney, Catherine  
Mullen, John

Gray, James  
Pitre, Joseph

## SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

and the motion was adopted.

## REGULAR CALENDAR CONT'D

**HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman Packard for Transportation. For almost ten years NH has said it will not participate in what is referred to as Real ID. This law was passed by Congress in 2005. The concept was taken from the 9/11 Commission report. It stated the federal government should set standards for the issuance of birth certificates and sources of identification such as drivers' licenses. It was feared by many that this would turn into a national identification card database. That fear has been averted. Developing a NH compliant drivers' license does not create a national ID card, a federal database of driver license information or new federal access to state data. This bill will allow NH citizens to voluntarily obtain a real ID compliant license. This bill is completely opt-in. The deadlines have been set by Homeland Security. Many federal buildings are not now accessible with a NH license. Provisions governing the boarding of aircraft will take effect January 2018. If we do not act in a responsible manner hundreds of thousands of our citizens will be greatly affected. If we do not act we will be forcing our citizens to obtain a passport causing some families great financial difficulty. In NH if you wish to have your picture and Social Security number removed from the Department of Safety database after you receive your license you may. To opt-in for a Real ID license you must agree to leave those two items retained in the NH system. If you choose not to have a Real ID license you will still be able to have those two items removed. Your license will be marked non-compliant for federal purposes if you do not have a Real ID license. Though some feel that we should continue to refuse to participate in Real ID, we were elected to govern in the best interests of the citizens of the State of NH. Preventing our constituents from having the option of obtaining a Real ID license is unfair and unnecessary. This bill is completely voluntary. No one is being forced or asked to obtain a Real ID license. We are only giving them the ability to make an informed decision on participating or not participating in Real ID. The amendment sends a strong statement of dissatisfaction with Real ID. Unless this law is changed federally it is our responsibility to give our constituents the option. Vote 16-2.

## Amendment (0123h)

Amend the bill by replacing section 1 with the following:

1 Prohibition Against Participation in National Identification System. Amend 2007, 243:1, I-II as amended by 2010, 372:1 to read as follows:

I. The general court finds that the public policy established by Congress in the Real ID Act of 2005, Public Law 109-13, is contrary and repugnant to Articles 1 through 10 of the New Hampshire constitution as well as Amendments 4 through 10 of the Constitution for the United States of America. Therefore, ***except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c***, the state of New Hampshire shall not participate in any driver's license program pursuant to the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID.

II. ***Except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c***, the department of safety shall not amend procedures for applying for a driver's license [~~under RSA 263~~] or an identification card [~~under RSA 260:21~~] in order to comply with the goals or standards set forth in the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID, or in any rules or regulations promulgated thereunder, or in any requirements adopted by the American Association of Motor Vehicle Administrators for such purposes.

Amend RSA 260:21-a, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued.

Amend RSA 260:21-b, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued.

Amend the bill by inserting after section 14 the following and renumbering the original sections 15-16 to read as 16-17, respectively:

15 Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a to read as follows:

**260:14-a Provision for Federal Identification Database Prohibited.**

**I.** The department shall not provide a complete, or substantially complete or mirrored, extract of motor vehicle records that contain personally identifiable information from any file or database to the federal government or to any agent or agency of, or contractor engaged by, the federal government for the purpose of creating or enhancing a federal identification database.

**II. *In support of the department's participation in the enhanced driver's license program, the interface to the cognizant federal authority shall be implemented to provide a specific response at the time a New Hampshire enhanced driver's license holder presents that license at a border crossing. The department shall not provide the full set of driver information to the cognizant federal authority at the time of license issuance.***

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Shurtleff offered floor amendment (0447h).

**Floor Amendment (0447h)**

Amend the bill by replacing sections 6-7 with the following:

**6 Identification Cards. Amend RSA 260:21, III to read as follows:**

**III.** The identification card shall bear the name, address, date of birth, blood type (optional), veteran's status for the purposes of identification for receiving benefits and services under New Hampshire law (optional), picture and signature of the applicant, and in the case of a card issued pursuant to RSA 260:21, I(c), said card shall bear the notation "Golden Granite State Discount Card." ***An applicant may choose not to have his or her facial image, signature, and social security number retained by the department, in which case the identification card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.***

**7 New Paragraph; Identification Cards. Amend RSA 260:21 by inserting after paragraph XI the following new paragraph:**

**XII.** Unless the applicant chooses not to have his or her facial image, signature, and social security number retained by the department, the department shall issue a nondriver's picture identification card that is compliant with the standards of the Real ID Act of 2005, Public Law 109-13, and its implementing regulations, including, but not limited to, 6 C.F.R. part 37, or an enhanced identification card as proof of identity and citizenship for persons entering the United States at land and sea ports which meet the standards of the Western Hemisphere Travel Initiative developed by the United States Department of State and the United States Department of Homeland Security, and its associated regulations, including but not limited to Documents Required for Travelers Departing From or Arriving in the United States at Sea and Land Ports-of-Entry From Within the Western Hemisphere, 73 Fed. Reg. 18,384, Apr. 3, 2008, respectively, in lieu of an identification card defined in RSA 260:21.

Amend RSA 260:21-a, I(c) as inserted by section 8 of the bill by replacing it with the following:

(c) Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number.

Amend RSA 260:21-b, I(c) as inserted by section 8 of the bill by replacing it with the following:

(c) Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number.

Amend RSA 263:14-b as inserted by section 11 of the bill by replacing it with the following:

**263:14-b Driver's License Compliant with Public Law 109-13.** Except for applicants who choose not to have their facial image, signature, and social security number retained by the department, the department of safety shall issue drivers' licenses which meet the standards of the Real ID Act of 2005, Public Law 109-13, and its implementing regulations, including but not limited to 6 C.F.R. part 37. The department shall upon application issue a driver's license that complies with Public Law 109-13 to any resident who:

**I.** Pays the required fee;

**II.** Does not hold any other driver's license or nondriver's picture identification card;

**III.** Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number; and

IV. Provides documents required to demonstrate identity, United States citizenship, social security number, and New Hampshire residency.

Amend RSA 263:14-c, III as inserted by section 11 of the bill by replacing it with the following:

III. Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number; and

Amend RSA 263:40, I as inserted by section 12 of the bill by replacing it with the following:

***I. The commissioner shall, upon payment of the required fee, issue to every applicant a driver's license subject to such conditions as the commissioner may deem expedient and in such form as the commissioner may prescribe. Licenses issued to persons under the age of 21 shall be designed so that their horizontal and vertical axes are opposite the horizontal and vertical axes of licenses issued to other persons, and said licenses shall prominently display the date on which the licensee shall attain the age of 21 years. Consistent with RSA 263:14, the youth operator license shall expire on the 21st anniversary of the applicant's date of birth, at which time the applicant shall be issued a traditional license. The license shall bear thereon a distinguishing number assigned to the licensee and an instant full-face color photograph, image, or likeness of the licensee. There shall also be provided a space wherein the licensee may indicate his or her honorable veteran's status for purposes of identification for receiving benefits and services under New Hampshire law if the licensee so desires. The license shall bear a special designation or symbol indicating honorable veteran's status for licensees who indicate such veteran status. An applicant may choose not to have his or her facial image, signature, and social security number retained by the department, in which case the driver's license card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.***

#### AMENDED ANALYSIS

This bill requires that drivers' licenses and nondrivers' picture identification cards comply with the Real ID Act of 2005 unless the applicant chooses a noncompliant license or card.

This bill also authorizes optional enhanced drivers' licenses and optional enhanced nondrivers' picture identification cards which meet the standards of the Western Hemisphere Travel Initiative. Rep. Kurk spoke against.

Rep. Shurtleff spoke in favor and requested a roll call; sufficiently seconded.

#### YEAS 127 NAYS 190

#### YEAS - 127

#### CARROLL

Butler, Edward

Ticehurst, Susan

#### CHESHIRE

Ames, Richard

Berch, Paul

Bordenet, John

Chase, Cynthia

Eaton, Daniel

Ley, Douglas

Mann, John

Parkhurst, Henry

Pearson, William

Phillips, Larry

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Tatro, Bruce

Weber, Lucy

#### COOS

Hatch, William

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

#### GRAFTON

Abel, Richard

Bennett, Travis

Cooney, Mary

Ford, Susan

Hennessey, Martha

Maes, Kevin

Massimilla, Linda

Nordgren, Sharon

Smith, Suzanne

Sykes, George

Townsend, Charles

White, Andrew

#### HILLSBOROUGH

Backus, Robert

Baroody, Benjamin

Beaulieu, Jane

Booras, Efstathia

Brown, Pamela

Cohen, Alan

Cornell, Patricia

Cote, David

DiSilvestro, Linda

Freitas, Mary

Gidge, Kenneth

Goley, Jeffrey

Gorman, Mary

Guerette, C. Lee

Hansberry, Daniel

Harvey, Suzanne

Heath, Mary

Herbert, Christopher

Leishman, Peter

Long, Patrick



Mangipudi, Latha  
Porter, Marjorie  
Shaw, Barbara  
Williams, Kermit

Manley, Jonathan  
Roberts, Carol  
Snow, Kendall  
Woodbury, David

McNamara, Richard  
Rosenwald, Cindy  
Soucy, Timothy

O'Brien, Michael  
Shattuck, Gilman  
Sullivan, Daniel

### **MERRIMACK**

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Patten, Dick  
Schuett, Dianne

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Deloge, Helen  
French, Barbara  
Karrick, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

### **ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Simpson, Alexis

Borden, David  
Francesse, Paula  
McBeath, Rebecca  
Ward, Gerald

Cahill, Michael  
Gordon, Pamela  
Pantelakos, Laura

Cali-Pitts, Jacqueline  
Guthrie, Joseph  
Sherman, Thomas

### **STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Southworth, Thomas  
Treleaven, Susan

Berube, Roger  
Horrigan, Timothy  
Spang, Judith  
Verschueren, James

Bixby, Peter  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Burton, Wayne  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

### **SULLIVAN**

Cloutier, John  
Oxenham, Lee

Converse, Larry  
Schmidt, Andrew

Gagnon, Raymond

Gottling, Suzanne

### **NAYS - 190**

#### **BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
LeBreche, Shari  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

### **CARROLL**

Avellani, Lino  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Parker, Harold

Cordelli, Glenn  
Schmidt, Stephen

### **CHESHIRE**

Abbott, Michael  
Sterling, Franklin

Hunt, John  
Tilton, Benjamin

McConnell, James

Roberts, Kris

### **COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### **GRAFTON**

Almy, Susan  
Higgins, Patricia  
Ladd, Rick

Darrow, Stephen  
Hull, Robert  
Shackett, Jeffrey

Gionet, Edmond  
Ingbreton, Paul

Hennessey, Erin  
Johnson, Eric

### **HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris

Ammon, Keith  
Boehm, Ralph  
Christie, Rick

Balcom, John  
Burt, John  
Coffey, James

Belanger, James  
Byron, Frank  
Danielson, David

Edelblut, Frank  
Fromuth, Bart  
Hansen, Peter  
Jack, Martin  
Martel, Andre  
Murphy, Keith  
Ohm, Bill  
Pierce, David  
Rowe, Robert  
Smith, Gregory  
Takesian, Charlene

Edwards, Elizabeth  
Gagne, Larry  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Notter, Jeanine  
Palmer, Barry  
Proulx, Mark  
Sanborn, Laurie  
Souza, Kathleen  
Ulery, Jordan

Estevez, Eric  
Gould, Linda  
Hogan, Edith  
Lachance, Joseph  
McLean, Mark  
Ober, Lynne  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Straight, Phillip  
Wolf, Terry

Ferreira, Elizabeth  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
Moore, Josh  
Ober, Russell  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Sullivan, Victoria

### MERRIMACK

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kidder, David  
Martin, John  
Ratzki, Mario

Hill, Gregory  
Kuch, Bill  
McGuire, Carol  
Seaworth, Brian

Hoell, J.R.  
Long, Douglas  
McGuire, Dan  
Walsh, Thomas

### ROCKINGHAM

Abrami, Patrick  
Baldasaro, Alfred  
Chase, Francis  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Manning, John  
Miltz, David  
Packard, Sherman  
Rice, Frederick  
Tilton, Rio  
Webb, James

Abramson, Max  
Barnes, Arthur  
Chirichiello, Brian  
Doucette, Fred  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Sytek, John  
True, Chris  
Welch, David

Allen, Mary  
Bates, David  
Cook, Allen  
Elliott, Robert  
Gannon, William  
Hagan, Joseph  
Introne, Robert  
Lundgren, David  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Tasker, Kyle  
Tucker, Pamela  
Weyler, Kenneth

Azarian, Gary  
Cardon, G. Thomas  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

### STRAFFORD

Beaudoin, Steven  
DiSesa, Len  
Hannon, Joseph  
Mullen, John

Bickford, David  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Cheney, Catherine  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

DeLemus, Susan  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

### SULLIVAN

Grenier, James  
and floor amendment (0447h) failed.

Laware, Thomas

Rollins, Skip

Smith, Steven

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Kurk offered floor amendment (0479h).

### Floor Amendment (0479h)

Amend the bill by replacing section 15 with the following:

15 Provision for Federal Identification Database Prohibited. RSA 260:14-a is repealed and reenacted to read as follows:

260:14-a Provision for Federal Identification Database Prohibited. The department shall not provide any motor vehicle driver's license, license plate, or identification card data to any agency or contractor of the federal government or another state or territory, or any provider of interstate license or identification messaging services, for use in compiling or creating "pointers" to or indexes of information concerning drivers' licenses, identification cards, or license plates. The department shall not provide any information concerning drivers' licenses, identification cards, or license plates except on a case-by-case basis for a named individual or specific license plate number in response

to a request which includes the purpose of the request, the name of the agency or contractor which originated the request, and a unique identifier for the individual requester at that agency or contractor. Such information shall be provided only for purposes related to issuance or validity. The department shall report on its website by March 1 of each year beginning in 2017 the numbers of such requests, the numbers of records disclosed in response to them, the agencies making such requests and receiving records in response, and the purposes of these requests.

Rep. Kurk spoke in favor and yielded to questions.

### MOTION TO PRINT REMARKS

Rep. Shurtleff moved that his question and the answer by Rep. Kurk, during the debate on **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, be printed in the Permanent Journal.

Without objection, the Speaker so ordered.

### CLERK'S NOTE

The entire debate on **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, was voted to be printed and appears later in this Journal.

The question now being adoption of floor amendment (0479h).

On a division vote, with 204 members having voted in the affirmative and 113 in the negative, floor amendment (0479h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. True spoke against and yielded to questions.

### INTRODUCTION OF SPECIAL GUESTS

The 2016 class of Leadership New Hampshire, guests of the House.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Steven Smith spoke in favor and yielded to questions.

### MOTION TO LAY ON THE TABLE

Rep. Ammon moved that **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, be laid on the table.

Rep. Eaton requested a roll call; sufficiently seconded.

### YEAS 67 NAYS 254

#### YEAS - 67

#### BELKNAP

Aldrich, Glen  
Sylvia, Michael

Gallagher, Brian

LeBreche, Shari

Spanos, Peter

#### CARROLL

Avellani, Lino

Comeau, Ed

#### CHESHIRE

McConnell, James

Tilton, Benjamin

#### COOS

Rideout, Leon

#### GRAFTON

Hull, Robert

Ingbretson, Paul

Johnson, Eric

#### HILLSBOROUGH

Adams, Christopher  
Christie, Rick  
Fromuth, Bart  
Lachance, Joseph  
Parison, James

Ammon, Keith  
Edelblut, Frank  
Gould, Linda  
Moore, Josh  
Sanborn, Laurie

Burt, John  
Edwards, Elizabeth  
Hogan, Edith  
Murphy, Keith  
Schleien, Eric

Christiansen, Lars  
Ferreira, Elizabeth  
Hopper, Gary  
Notter, Jeanine  
Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
McGuire, Carol

Hill, Gregory  
McGuire, Dan

Hoell, J.R.

Long, Douglas

**ROCKINGHAM**

Abramson, Max  
Cook, Allen  
Green, Dennis  
Lundgren, David  
Tucker, Pamela

Baldasaro, Alfred  
Elliott, Robert  
Harris, Jeffrey  
Osborne, Jason  
Webb, James

Chase, Francis  
Emerick, J. Tracy  
Itse, Daniel  
Tasker, Kyle

Chirichiello, Brian  
Gannon, William  
Kappler, Lawrence  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Turcotte, Leonard

Cheney, Catherine  
Hannon, Joseph  
Wuelper, Kurt

DeLemus, Susan  
Jones, Laura

Graham, Robert  
Kaczynski, Jr., Thomas

**NAYS - 254****BELKNAP**

Dumais, Russell  
Luther, Robert

Fields, Dennis  
Tilton, Franklin

Flanders, Donald  
Vadney, Herbert

Fraser, Valerie

**CARROLL**

Buco, Thomas  
McCarthy, Frank  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Parker, Harold  
Wright, Ted

Cordelli, Glenn  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Berch, Paul  
Hunt, John  
Pearson, William  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihn, Wayne  
Tholl, John

Rappaport, Laurence  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Ford, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Bennett, Travis  
Gionet, Edmond  
Ladd, Rick  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Belanger, James  
Brown, Pamela  
Cohen, Alan  
DiSilvestro, Linda  
Gidge, Kenneth  
Haefner, Robert  
Heath, Mary  
Jack, Martin  
Long, Patrick  
McCarthy, Peggy  
Ober, Russell

Balcom, John  
Biggie, Barbara  
Byron, Frank  
Cornell, Patricia  
Estevez, Eric  
Goley, Jeffrey  
Hansberry, Daniel  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
McLean, Mark  
Ohm, Bill

Baroody, Benjamin  
Boehm, Ralph  
Christensen, Chris  
Cote, David  
Freitas, Mary  
Gorman, Mary  
Hansen, Peter  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
McNamara, Richard  
Palmer, Barry

Beaulieu, Jane  
Booras, Efstathia  
Coffey, James  
Danielson, David  
Gagne, Larry  
Guerette, C. Lee  
Harvey, Suzanne  
Infantine, William  
Leishman, Peter  
Martel, Andre  
O'Brien, Michael  
Pellegrino, Anthony

Peterson, Ken  
Rice, Kimberly  
Rowe, Robert  
Smith, Gregory  
Straight, Phillip  
Williams, Kermit

Pierce, David  
Roberts, Carol  
Seidel, Carl  
Snow, Kendall  
Sullivan, Daniel  
Wolf, Terry

Porter, Marjorie  
Rosenwald, Cindy  
Shattuck, Gilman  
Soucy, Timothy  
Takesian, Charlene  
Woodbury, David

Proulx, Mark  
Rouillard, Claire  
Shaw, Barbara  
Souza, Kathleen  
Ulery, Jordan

### MERRIMACK

Bartlett, Christy  
Doherty, David  
French, Harold  
Horn, Werner  
Kuch, Bill  
Moffett, Howard  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bradley, Paula  
Ebel, Karen  
Gile, Mary  
Karrick, David  
MacKay, James  
Myler, Mel  
Rice, Chip  
Seaworth, Brian  
Walsh, Thomas

Carson, Clyde  
Frazer, June  
Henle, Paul  
Kenison, Linda  
Marple, Richard  
Parent, Jason  
Rogers, Katherine  
Shurtleff, Stephen

Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Martin, John  
Patten, Dick  
Saunderson, George  
Turcotte, Alan

### ROCKINGHAM

Abrami, Patrick  
Bates, David  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Fesh, Robert  
Griffin, Mary  
Hodgdon, Bruce  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Simpson, Alexis  
Ward, Gerald  
Woitkun, Steven

Allen, Mary  
Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Francesse, Paula  
Guthrie, Joseph  
Hoelzel, Kathleen  
Manning, John  
McMahon, Charles  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Ward, Joanne

Azarian, Gary  
Borden, David  
Christie, Andrew  
Doucette, Fred  
Gordon, Pamela  
Hagan, Joseph  
Introne, Robert  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Rice, Frederick  
Thomas, Douglas  
Welch, David

Barnes, Arthur  
Cahill, Michael  
Cushing, Robert  
Ferrante, Beverly  
Gordon, Richard  
Heffron, Frank  
Katsakiores, Phyllis  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Sherman, Thomas  
Tilton, Rio  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Berube, Roger  
Cilley, Jacalyn  
Leeman, Don  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

Bickford, David  
DiSesa, Len  
Mullen, John  
Southworth, Thomas  
Treleaven, Susan

Bixby, Peter  
Gray, James  
Pitre, Joseph  
Spang, Judith  
Verschueren, James

### SULLIVAN

Cloutier, John  
Grenier, James  
Schmidt, Andrew  
and the motion failed.

Converse, Larry  
Laware, Thomas  
Smith, Steven

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Webb spoke against.

Rep. Packard spoke in favor and yielded to questions.

Rep. Leeman requested a roll call; sufficiently seconded.

**YEAS 245    NAYS 76**

**YEAS - 245**

**BELKNAP**

Dumais, Russell  
Luther, Robert

Fields, Dennis  
Tilton, Franklin

Flanders, Donald  
Vadney, Herbert

Gallagher, Brian

**CARROLL**

Buco, Thomas  
McCarthy, Frank  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Cordelli, Glenn  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
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Tatro, Bruce

Berch, Paul  
Hunt, John  
Pearson, William  
Sad, Tara  
Weber, Lucy

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Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

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Theberge, Robert

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Thomas, Yvonne

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Townsend, Charles

Bennett, Travis  
Gionet, Edmond  
Ladd, Rick  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

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Gidge, Kenneth  
Guerette, C. Lee  
Harvey, Suzanne  
Infantine, William  
Leishman, Peter  
McCarthy, Peggy  
Ohm, Bill  
Pierce, David  
Roberts, Carol  
Seidel, Carl  
Snow, Kendall  
Sullivan, Daniel  
Woodbury, David

Balcom, John  
Biggie, Barbara  
Byron, Frank  
Cohen, Alan  
DiSilvestro, Linda  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Jack, Martin  
Long, Patrick  
McLean, Mark  
Palmer, Barry  
Porter, Marjorie  
Rosenwald, Cindy  
Shattuck, Gilman  
Soucy, Timothy  
Takesian, Charlene

Baroody, Benjamin  
Boehm, Ralph  
Christensen, Chris  
Cornell, Patricia  
Freitas, Mary  
Gorman, Mary  
Hansberry, Daniel  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
McNamara, Richard  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Shaw, Barbara  
Souza, Kathleen  
Williams, Kermit

Beaulieu, Jane  
Booras, Efsthathia  
Christiansen, Lars  
Cote, David  
Gagne, Larry  
Gould, Linda  
Hansen, Peter  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
O'Brien, Michael  
Peterson, Ken  
Rice, Kimberly  
Rowe, Robert  
Smith, Gregory  
Straight, Phillip  
Wolf, Terry

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Doherty, David  
French, Harold  
Karrick, David  
Marple, Richard  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
Moffett, Howard  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Rice, Chip  
Shurtleff, Stephen

Deloge, Helen  
French, Barbara  
Horn, Werner  
MacKay, James  
Parent, Jason  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Cali-Pitts, Jacqueline

Allen, Mary  
Berrien, Skip  
Cardon, G. Thomas

Azarian, Gary  
Borden, David  
Christie, Andrew

Barnes, Arthur  
Cahill, Michael  
Cushing, Robert

DeSimone, Debra  
 Emerick, J. Tracy  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Manning, John  
 McMahon, Charles  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Ward, Joanne

Devine, James  
 Fesh, Robert  
 Guthrie, Joseph  
 Introne, Robert  
 Matthews, Carolyn  
 Milz, David  
 Pantelakos, Laura  
 Rice, Frederick  
 Thomas, Douglas  
 Welch, David

Doucette, Fred  
 Francese, Paula  
 Hagan, Joseph  
 Katsakiores, Phyllis  
 McBeath, Rebecca  
 Nigrello, Robert  
 Peckham, Michele  
 Sherman, Thomas  
 Tilton, Rio  
 Weyler, Kenneth

Elliott, Robert  
 Gordon, Pamela  
 Heffron, Frank  
 Major, Norman  
 McKinney, Betsy  
 O'Connor, John  
 Potucek, John  
 Simpson, Alexis  
 Ward, Gerald  
 Woitkun, Steven

### STRAFFORD

Baber, William  
 Burton, Wayne  
 Horrigan, Timothy  
 Smith, Marjorie  
 Stevens, Audrey  
 Ward, Kenneth

Berube, Roger  
 Cilley, Jacalyn  
 Leeman, Don  
 Southworth, Thomas  
 Treleaven, Susan

Bickford, David  
 DiSesa, Len  
 Mullen, John  
 Spang, Judith  
 Verschueren, James

Bixby, Peter  
 Gray, James  
 Schmidt, Peter  
 Sprague, Dale  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Grenier, James  
 Schmidt, Andrew

Converse, Larry  
 Laware, Thomas  
 Smith, Steven

Gagnon, Raymond  
 Oxenham, Lee

Gottling, Suzanne  
 Rollins, Skip

### NAYS - 76

### BELKNAP

Aldrich, Glen  
 Sylvia, Michael

Fraser, Valerie

LeBreche, Shari

Spanos, Peter

### CARROLL

Avellani, Lino

Comeau, Ed

Wright, Ted

### CHESHIRE

McConnell, James

Tilton, Benjamin

### COOS

### GRAFTON

Hull, Robert

Ingbertson, Paul

Johnson, Eric

### HILLSBOROUGH

Adams, Christopher  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Lachance, Joseph  
 Notter, Jeanine  
 Schleien, Eric

Ammon, Keith  
 Edelblut, Frank  
 Fromuth, Bart  
 Martel, Andre  
 Ober, Russell  
 Sullivan, Victoria

Burt, John  
 Edwards, Elizabeth  
 Hogan, Edith  
 Moore, Josh  
 Parison, James  
 Ulery, Jordan

Christie, Rick  
 Estevez, Eric  
 Hopper, Gary  
 Murphy, Keith  
 Sanborn, Laurie

### MERRIMACK

Brewster, Michael  
 Long, Douglas  
 Seaworth, Brian

Hill, Gregory  
 Martin, John

Hoell, J.R.  
 McGuire, Carol

Kuch, Bill  
 McGuire, Dan

### ROCKINGHAM

Abramson, Max  
 Cook, Allen  
 Green, Dennis  
 Kappler, Lawrence  
 True, Chris

Baldasaro, Alfred  
 Ferrante, Beverly  
 Harris, Jeffrey  
 Lundgren, David  
 Tucker, Pamela

Chase, Francis  
 Gannon, William  
 Hodgdon, Bruce  
 Osborne, Jason  
 Webb, James

Chirichiello, Brian  
 Gordon, Richard  
 Itse, Daniel  
 Tasker, Kyle

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Pitre, Joseph

Cheney, Catherine  
Hannon, Joseph  
Turcotte, Leonard

DeLemus, Susan  
Jones, Laura  
Wuelper, Kurt

Graham, Robert  
Kaczynski, Jr., Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

**MOTION TO PRINT DEBATE**

Rep. Ammon moved that the debate on **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, be printed in the Permanent Journal.

On a division vote, with 169 members having voted in the affirmative and 152 in the negative, the motion was adopted.

**DEBATE ON HB 1616-FN**

**Speaker Jasper:** The question is on the committee amendment, 0123h, printed in House Record 7, pages 42 to 43. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Ayes have it and the committee amendment is adopted. The bill is on second reading, open to further amendment. The Chair recognizes Representative Shurtleff who offers floor amendment 0447h and he is recognized to speak to his amendment.

**Representative Shurtleff:** Thank you, Mister Speaker. Mister Speaker, I move amendment 0447h.

**Speaker Jasper:** You are recognized to speak to that.

**Representative Shurtleff:** Thank you, Mister Speaker. Mister Speaker, I rise to offer an amendment to this bill, which makes one simple change to the method by which an individual would choose to obtain or decline a license that is compliant with Real ID. To briefly explain, under current law when you apply for or renew a drivers' license, your image and social security number are kept in a database maintained by the Department of Safety unless you check a box on the application to state that you do not want the information retained. The committee passed a version of this bill that changes that process and instead gives people a number of options on what kind of a license they wish to acquire. The concern is that the method recommended by the committee will be confusing to individuals who don't understand the ins and outs of federal law and the consequences of not obtaining a compliant identification. As we know, individuals without compliant ID's will soon be unable to board an aircraft or enter federal buildings with a drivers' license or a non-driver ID. Without making the consequences of non-compliance clear, we run the very real risk of our constituents arriving at an airport for a very important flight who could be told that they are unable to board because their ID is insufficient. That's a risk that we don't want to take if it can be avoided, so that's why this amendment takes us back to the process we currently use for choosing whether to keep our image and social security number on file. If an individual does not want to comply with Real ID and not allow that information to be kept in the database, they can simply continue to check the box on the application form as they do today. So this amendment retains the exact same right to keep your personal information as exists under current law and under the committee passed version of the bill, but it does so in the most clear and understandable way as possible. As legislators, it's important for us to safeguard the privacy of our constituents, which we have done by allowing individuals the choice of either complying with Real ID or not, but whenever we can, we must make sure that we do not do so in a way that does not create unnecessary confusion, work or bureaucratic hassles. That is why I am offering this amendment, Mister Speaker. Thank you so much.

**Speaker Jasper:** The Chair recognizes the member from Weare, Representative Kurk to speak against the floor amendment.

**Representative Kurk:** Thank you, Mister Speaker. As most of you know, New Hampshire has taken the position that we do not wish to participate in the Real ID Act because at one time the federal government was going to create a national database with all of our information in there, including information that you currently do not give to the DMV. The feds have since backed off of that position and now they want to have what's called a state-to-state database. We will talk about that later in a floor amendment, but I bring that up now because what the minority amendment does is to create an opt-out plan as opposed to the majority amendment, which we have just adopted, which is an opt-in. Under an opt-in, you have to make the decision as to whether or not you want to have a Real ID compliant license and then if you do that, you'll have to do the following things. You will have to submit a photo ID or a non-photo ID that includes your full legal name and birth date. You will have



to supply a certified copy of your birth certificate, which of course tells who your parents are, where you were born and so forth. You will have to provide documentation of your legal status and documentation of your social security number and documentation showing your name and your principal address. All of this documentation will be kept at the DMV for at least 7 years depending on whether it is an electronic or physical form. That's a lot of data about a lot of people that will be in the database if you adopt the minority's amendment as is before us. That information will not be in the database if we continue on with the amendment that we have adopted. The amendment that we have adopted is an opt-in so that information will only be in the database for people who want Real ID compliant licenses. New Hampshire tries to protect the privacy of its citizens and in doing so we want to collect the least possible amount of information in our motor vehicle department database. That's what the majority amendment does. The minority amendment takes the exact opposite position and I don't think that's the way we want to go. One other point. The amendment that we've just adopted talks about keeping the objection to Real ID and New Hampshire's non-participation in the Real ID Act, except to the extent individuals opt-in, then they have to comply with the Real ID Act. That's their decision. You don't want to get a passport? You don't want to go through the screening? In case some of you don't know it, you don't have to have any ID to go on an airplane, but it will take you a couple of hours to go through the screening process. If they want to have their passport, they can do that and don't have to go through Real ID or if they want to go through Real ID, they can do so. The majority amendment says we are not participating in the Real ID Act, except to the extent the individuals want to do so. The amendment before us, the minority amendment says we repeal New Hampshire's prohibition against Real ID, totally repealed, because that was in the bill as introduced in Section I. Their amendment only deals with Sections VI and I think VII so if you're concerned about citizen's privacy and you want to make sure that the least possible information goes into the state database and to the federal database, I urge you to vote no on this amendment. Thank you.

**Speaker Jasper:** The question is on the Shurtleff floor amendment, 0447h, which is in your seat pockets. Are you ready for the question? Roll call has been requested by Representative Shurtleff. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote and members will take their seats. The House will come to order. The question is on floor amendment 0447h. The Chair recognizes Representative Rosenwald for a parliamentary inquiry.

**Representative Rosenwald:** Thank you, Mister Speaker. If I know this amendment keeps the method used under current law to decline participation in Real ID, and if I know this amendment retains the exact same right to decline Real ID as the committee passed version, aka majority amendment, but it does so in a clear way that reduces the risk of an excited new grandmother being kept off an airplane when she doesn't realize that her drivers' license is wrong and she is trying to go to another state to visit a new grandchild and it reduces; if I know that it reduces the risk of someone making a long drive from the North Country to get to a social security office; Mister Speaker, if I believe it's our duty to protect the privacy of Granite Staters, but to do so in a transparent way that avoids creating unnecessary confusion and bureaucratic hurdles; Mister Speaker, would I then press the green button to adopt the floor amendment? Thank you.

**Speaker Jasper:** The question is on the floor amendment. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Steven Smith for a parliamentary inquiry.

**Representative Steven Smith:** Thank you, Mister Speaker. If I know that New Hampshire's current policy of resisting Real ID was overwhelmingly bipartisan, sponsored by some current members of the leadership in both parties and many of the minority party and signed by Governor Lynch, and if I know that this floor amendment effectively flips that policy on its head by saying that our default position will be, eh okay, go ahead, Real ID is fine so do that without a public hearing, as may occur in another venue, would I resist this, maintain New Hampshire's current policy and keep the respect for New Hampshire's policy on Real ID by pressing the red button? Thank you.

**Speaker Jasper:** The question is on the Shurtleff floor amendment. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 127 votes in the affirmative and 190 in the negative, the floor amendment fails. The bill is on second reading and open to further amendment. The Chair recognizes Representative Kurk, who offers floor amendment 0479h in your seat pockets. Representative Kurk is recognized to speak to his floor amendment.

**Representative Kurk:** Thank you, Mister Speaker and I thank the members for their strong support of the committee version of this bill. This amendment further secures the privacy of our documents. It basically says that we will not contribute any information to the state-to-state system which is what the federal government is proposing that we do in order to become Real ID compliant and it says that in very firm and strong language. I'll be candid with you. We need to change some of this at some later date in the process as we deal with the folks at the Department of Motor Vehicles to make sure that this language will be consistent with our present operations with respect to commercial drivers' licenses and a couple of other systems dealing with drivers' licenses. The purpose of this amendment, which I ask that you support, is to give us a strong negotiating position with the DMV folks and the Department of Homeland Security folks with whom we are trying to negotiate to understand what we must have in order to be compliant for those citizens who choose to opt for Real ID compliant licenses. So, while this may change, and I indeed will hope it changes during the course of the bill going forward in the process, at this time in the process, the House should take a strong position in favor of protecting privacy of individual records. Thank you, Mister Speaker.

**Speaker Jasper:** Does the member yield to questions? Representative Shurtleff, you may inquire.

**Representative Shurtleff:** Thank you, Mister Speaker and I thank my friend from Weare for taking my question. Would you agree with me that there are possibilities of maybe some flaws in the amendment? And, as this amendment, if it is approved, goes through the system, it should be vetted for unforeseen consequences that could be in the amendment?

**Representative Kurk:** Absolutely and I will work to make sure that those, if there are any unintended consequences, do not happen.

**Representative Shurtleff:** Mister Speaker, could I request that the dialogue between myself and the gentleman from Weare be placed in the Permanent Journal?

**Speaker Jasper:** Without objection, so ordered. The question is on the Kurk floor amendment. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Chair is in doubt; the House will divide so this will be a division vote. Members who are presently in the Hall only. Everyone should be in their seats. The question is on the Kurk floor amendment. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 204 votes in the affirmative, 113 in the negative, the floor amendment is adopted. The question is on the committee report of Ought to Pass with amendment on HB 1616. The Chair recognizes Representative True from Sandown to speak against the committee report.

**Representative True:** Thank you, Mister Speaker. Mister Speaker, I rise in opposition to the committee report of Ought to Pass on HB 1616, Real ID. In 2007, the State of New Hampshire passed a law saying that the state shall not comply with the federal ID, the federal Real ID, because it was contrary and repugnant to our state constitution and to the Constitution of the United States of America. Now, HB 1616 is before us and if passed will have our state comply with the wishes of the Department of Homeland Security. In the words of America's greatest singers and songwriters of all time, Frank Zappa, "Susie cream cheese, what's gotten into you?" Real ID is still contrary and repugnant to the constitution and that is why I oppose complying. In 1982, Nancy Reagan said, "Just say no." Today, I am asking all of you to say, to just vote no. It has been said that complying with Real ID is completely voluntary and for those who do not voluntarily agree, the federal government will hassle and harass any and all who will not willingly comply. Rather than giving in and passing legislation to implement Real ID in New Hampshire, we should be demanding that Congress repeal Real ID. Just vote no. The 10<sup>th</sup> amendment to the constitution says the federal government does not have the right to tell the states how to make up their state's identification and drivers' licenses. Some people have said there is really nothing we can do, that you can't fight city hall and you can't fight the government and that if we do not give in to the federal government, the federal government will make it very inconvenient for our citizens. Live free or die in convenience is not the greatest of evils. Many people have asked me, "Christopher, Christopher, Christopher, why are you making such a big deal on such a small issue?" I say that taking a stand, making a stand and shouting that the constitution must be followed is not a small issue. In closing, I quote from a great American actor and humorist, Danny Thomas. It might have been Marlo Thomas. It could have been Thomas' English Muffins, but I know it was one of the Thomas'. "I will not go gentle into that good night. I will rage against the dying of the light." Thank you, Mister Speaker.

**Speaker Jasper:** Does the member yield to questions? House will be in order. No show of emotion. Representative Itse, you may inquire.

**Representative Itse:** Thank you, Mister Speaker. Thank you to the member from Sandown, which I used to represent, for taking my question. Would you agree with Benjamin Franklin that those who would give up essential liberty in exchange for security deserve neither?

**Representative True:** A wise man and I agree with that statement 100%.

**Speaker Jasper:** The Chair recognizes the member from Charlestown, Representative Steven Smith to speak in favor of the committee report.

**Representative Steven Smith:** Thank you, Mister Speaker. It is with no joy, but firm resolve that I rise in support of HB 1616. It's the right thing to do. My colleague from Sandown said you can't fight city hall. Well of course you can. Is Real ID repugnant? Of course it is; that's why we left the language in there as a bipartisan policy of the State of New Hampshire. What are you going to do about it though? We are not going to repeal Real ID. We are New Hampshire State Representatives. We are not Congress. You want to have that fight? Despite my support for this bill, I will have that fight, but I got to ask are you serious? When have you gone to Senator Ayotte's office, Senator Shaheen's office, Kuster or Guinta to tell them to get it repealed? Being a small state, have you lobbied the Senator's and Congressmen from other states to do the same thing? I apologize for what I'm about to say, but what I hear a lot is statements about what we don't like, Facebook wars, and no action. We are here today to serve our constituents, and I don't know about you, but I will not hold my constituents hostage to make some kind of political point. I am here to let them live free. Why should I make this decision for them? I'm supposed to give them the framework under which they live, something that's fair, something that allows them to choose their own destiny. HB 1616 does that. You want to fight Real ID? Pass HB 1616 and tell all your constituents to go down and get a non-compliant license. Even better, do you know how easy that is? Under HB 1616, you know what you have to do to not comply with Real ID? Nothing. When your license is renewed, it will say not valid for federal ID unless you have specifically chosen to participate in the program. I submit this to you, that will either happen and then you can go to our Senators or the rest of our federal delegation and go, look an overwhelming majority of the people in New Hampshire refuse to participate in this system and we want action or you find out you were wrong. Either way, you want to have the fight? We are giving you the venue to have that fight. We are giving you real results to go out and make your point or not, but don't sit here and say you just don't like it so we are going to dig our heels in. Normally, when you don't feel good about a bill, and I'll tell you I don't feel good about a bill. I am firmly convinced it's the right thing to do. We had hearings. We were respectful of the state's bipartisan position on this. We tried to accommodate all that, but normally you can go, I don't really feel good about this so I can always press the red button and life will go on as it did before. I am sorry, but you do not have that option today. Life is going to change and you are going to choose one path with the green button, one path with the red button, but the Federal Congress has said life is not going to go on the way it did today. So here's your choices and I'll leave it up to you to choose which one you do. You can choose a system that requires your wives, sisters, girlfriends and mothers to go through an enhanced security screening, which I've been through. When I tried to get into the Federal Capital Building and they took my belt and my boots in front of my kids before I went in, you can tell your constituents to make your point they have to go through that or put all of their information in a federal database when they apply for their passport or we can be New Hampshire Legislators and give them a local option that says you don't want to play. You really want to make a family decision to make that sacrifice, go ahead, we support you or no, I don't want my grandmother to go through that and I'm going to, for no extra money, agree to get the compliant license. Let them make that decision. It's their family. An aside benefit of this bill, if I can lighten it up a little bit, sorry for being so heavy, is if the only place you want to go is Canada or Mexico. Right now you have to get a passport. That's a burden for families. It's like, what, \$90 to \$100 a head? One of the third options in this bill is you can pay \$30 extra and get a card that will allow you to go see your friends and relatives in Canada, which is cheaper, and that has nothing to do with the other options so support Real ID, don't support Real ID. You want to fight Real ID? You all have my contact information. Let's go do it, but take this option away from your constituents to make a grand political statement? Please support the committee report. Thank you, Mister Speaker.

**Speaker Jasper:** Does the member yield to questions? Representative Murphy, you may inquire.

**Representative Murphy:** Thank you, Mister Speaker. Thank you for taking the question. My understanding is that New York, Montana, Missouri and Louisiana are also non-Real ID compliant. Do you really believe that the Federal Government will make the 20-odd million people who live in New York State go through this screening to get on airplanes?

**Representative Steven Smith:** Well, I hope so. New York, I'm glad you brought up has a special problem because New Hampshire's done a very good job of knowing who we've given licenses to and who we haven't. New York has a special problem because they're not quite as sure as we are, but do I think that they are going to go through with it anyway? Yes I do. On October 15<sup>th</sup> of 2015, non-compliant ID's were stopped being accepted at some federal facilities. The program is being rolled out. So having watched them phase this out and be implemented, regardless of where you are from, yeah, I think they are going to do it.

**Speaker Jasper:** Does the member yield to a further question? Representative Itse, you may inquire.

**Representative Itse:** Thank you, Mister Speaker. Thank you for taking my question. Would you believe that while you said that we in the chamber can't thwart the federal government, but that the entire no Real ID movement began right here in this chamber in 2006, when we voted with near unanimity to say no Real ID and then it failed in the chamber, which is not to be mentioned, after pressure from our federal delegation? But then, in the next term, it passed...

**Speaker Jasper:** Representative. Will the member...

**Representative Itse:** This is a would you believe.

**Speaker Jasper:** Well, then say so.

**Representative Itse:** But, then it passed in Maine and then it passed here and then it took fire across the states and yes, would you believe that this chamber can thwart the federal government?

**Representative Steven Smith:** No, because despite the unanimous support, well in this chamber almost unanimous, and I hear there's someplace beyond the wall where it was unanimous and signed by Governor Lynch. HB 685, yes, sponsored by the gentleman from Weare, the gentlelady from Lebanon, former Senator Peter Burling. Yeah, we did that, and what happened? In October of 2015, New Hampshire IDs stopped being accepted. You fought and you lost and the way to win this fight is to get the people behind us, not just make speeches. Go out and do the work. Tell them to get the regular ID and that's what will let us fight this, having a significant portion of the population that doesn't want to play. That's the tool we need. This gives them the option and lets the families make their own decision.

**Speaker Jasper:** Does the member yield to a further question? Representative White, you may inquire.

**Representative White:** Thank you, Mister Speaker. Thank you, Representative. Representative, would it surprise you to know that on October 20, 2015 when I arrived at the National Fire Academy, that I was not permitted on the grounds with my New Hampshire identification? That I had to, in fact, present a United States passport to be allowed entry to that facility? Would that surprise you?

**Representative Steven Smith:** Thank you for the question. No, it would not and we are trying to pass this so that people can make their own family decision about how they want to deal with that.

**Speaker Jasper:** The Chair recognizes Representative Ammon for a parliamentary inquiry.

**Representative Ammon:** Thank you, Mister Speaker. Mister Speaker is today the last day for early bills and would it require a two-third majority to remove a bill from the table after today?

**Speaker Jasper:** Today is a deadline so if a bill were to be laid on the table, after the deadline it could be removed by a simple majority, however, for the bill to pass it would require a two-thirds vote after today.

**Representative Ammon:** Mister Speaker, would a motion to table be in order at this moment?

**Speaker Jasper:** It would be in order.

**Representative Ammon:** I would like to make a motion to table and I ask for a division vote.

**Speaker Jasper:** Roll call has been requested. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. The House will come to order. The question is on the tabling motion on HB 1616. The Chair recognizes Representative Ammon for a parliamentary inquiry.

**Representative Ammon:** Thank you, Mister Speaker. Mister Speaker, if I know that the deadline for Real ID has been changed to the year 2018 and even the year 2020 since this bill was written and this is according to the Department of Homeland Security in the beginning of January, and if I know it is none of the federal government's business what we put on our licenses because this is a state purview? And, if I also know that this is the camel's nose under the tent and that even amendments offered in this very chamber today seek to move the goalpost and that eventually this will be mandatory? If I know that, would I then press the green button to table this bill?

**Speaker Jasper:** Question is on the tabling motion on HB 1616. If you're in favor, you'll press the green button. If you're opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

**Representative Packard:** Thank you, Mister Speaker. If I know there is still a lot more debate to go on this bill and that the members deserve to hear that debate? If I know that if we table this bill at this point, we will be adversely affecting hundreds of thousands of our citizens and if I know that tabling this bill is just plain irresponsible at this point, would I now press the red button so we can continue the debate and have a vote on this bill as we should have?

**Speaker Jasper:** The question is on the tabling motion on HB 1616. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 67 votes in the affirmative, 254 in the negative, the motion fails. There are only two speakers left on this debate. The Chair recognizes the member from Derry, Representative Webb, to speak against the committee report.

**Representative Webb:** Thank you, Mister Speaker. I rise in opposition to the committee report for many reasons. For the start, we have been opposed to this bill, to this type of government trying to get us to do it for 10 years. We are not alone in this battle. There are 28 other states that have been fighting this as well so it's not just in New Hampshire. This is basically the beginning of a national ID card. It says in this bill that it's voluntary. Well, as you know as well as I do, anything that's voluntary sooner or later becomes mandatory. As well as if you look at the actual cost of this in the fiscal note on the bill. This is not an inexpensive venture that we're going through. We are basically changing our entire system of the drivers' licenses so they can make it so we have this mandatory or national ID card. I was going to say a few other things, but as people spoke on this bill, I came up with a couple of things and I circled and wrote what they said. I heard things like they are worried about protecting the Granite State people's right and all that. I heard that we can't freeze this, which is totally wrong. I also heard that this is a process and that's absolutely right, it is a process. This process is the process of putting us into this national database and New Hampshire has prided itself on not allowing license plate scanners. That was one that we fought and we actually won that one. There is some other things that we try to fight, but unfortunately we didn't do so well. People changed their minds and the bills had gotten passed, you know, but for the most part when it says optional, it's not. I have an employee badge at work and it has this ID on it and they are able to get information on it, everything there transmits right off my badge to the computers at work and it's 10 years old, so it's 10 year old technology. I don't know what we are going to be putting in these licenses with these national ID cards, but it's no better than tattooing a number on you like the Nazis did during the war. I mean they are going to give us a national ID number. Our licenses are going to be put in there with all this information. It is going to be stored and you know eventually it will become mandatory; it's not going to be optional. The people that want this or want to buy this license with this enhanced ID, well that's great but everybody else is paying for it. Nobody is looking at that portion of it. They want us, the people that don't want it, are going to end up paying for it because the whole system has to be changed to put it in there. From what I understand, it has been pushed out anyway even further, as one of the previous speakers said so I would encourage you to please vote against the committee report and Mister Speaker, I would like a division vote please. Thank you.

**Speaker Jasper:** The Chair recognizes the final speaker of the debate, the member from Londonderry, Representative Packard, to speak in favor of the committee report.

**Representative Packard:** Thank you, Mister Speaker. I'm going to try and be as short as possible, but there are some things I feel we have to cover. I'm going to give you a brief history of Real ID. This was passed back in 2005, introduced by a conservative Republican Congressman, James Sensenbrenner from Wisconsin. It was signed into law by President Bush because of the 9/11 Commission Report. I want to try and correct some fallacies out there. The gold card that some of you got yesterday has some tremendous inaccuracies. It says the Federal Real ID Act establishes a national identification card and requires the identification to allow photos and social security numbers to be held in government databases. The only government database that it is held in is the New Hampshire database and you have to give that to get your current license. If you wish to have your social security number and your photo redacted from the system, you can do that. You will continue to be able to do that. Currently, 3% of our population that have drivers' licenses have opted to have their pictures taken out, 3%, 97%

have not. Under social security numbers, it's between 8-9% that have asked to have their social security numbers taken out of the system so over 90% of our citizens have said they are not worried about our state system. It says currently 28 states do not comply with Real ID, again, false. Twenty-three states completely comply. All except 4 states are in the process of complying. The current licenses you have, have 2 features of security on it. Starting January 1<sup>st</sup> we entered into a new contract. I don't know who the contractor is; who makes our licenses. It will have all 3 security features in it whether you're Real ID, you're not Real ID, whether we pass this bill or we don't pass this bill. It will have 3 security features in it. That is acceptable as a Real ID license. The only thing that we are really asking you in this bill that has to remain in the state system is your social security number and your picture. If you don't want it retained in the system, you take it out; you get a non-Real ID compliant license. That's it. This fantasy about a national identification card is just that, fantasy. It does not exist. It will not exist. This legislature wouldn't let it exist if it came to that and I would be one of the first ones up here saying hell no. For those of you who were here back in, what 2007, I think it was, 2006. It was about 9:00 at night. I was the Chairman of the Transportation Committee and we were discussing Real ID and I thought it was a little premature to move forward and just say we were going to say hell no and my dear friend from Weare got up and said, "I'm going to fire a shot across the bow." Well that shot, for those of you who were here, blew my ship up. That bill passed overwhelmingly; it got overturned. Ladies and gentlemen, this is for our citizens. Stop and think about this. Less than 45% of the people of New Hampshire have passports. So we are talking about 650 to 700,000 of our citizens that do not have passports, going on the national average. Could be a little more; could be a little less. So what we are telling our citizens is, and it was made reference to before, grandma and grandpa want to go see, which I am one, want to go see their new grandchild out in California or Texas or someplace like this and they don't have a Real ID license. Now they're going to have to go through hell at the airports just to get on the plane and all they want to do is go see their new grandchild. Family of 4 wants to go to Disneyland so now they got to go out and buy passports, \$6-7-\$800 more just so they can go to Disneyland for the week. It doesn't make any sense. This bill is 100% opt in. If you don't want to do it, you don't have to do it, but let's give our citizens the chance to do it. That's all we're asking. I'm sure I have enough faith in the Department of Safety that they will come up with a good enough system to make people realize the consequences of not acting or acting and getting into the system. Let's talk about numbers for a little bit. Let's just say, and I'm using a low number, 250,000 of our citizens have to go out and buy passports now because we decide now not to allow them the option of getting into Real ID. Figure it out at \$90-\$150 a passport that comes over to \$25 million. So, if you vote against this bill, you're probably voting to put a tax on our citizens of \$25 to \$30 million. Do you want that on your head? It's on your head, not on mine. I am strongly supporting the idea of giving our citizens the option of getting into the Real ID system and that's what this bill does. I urge you to support the committee report of Ought to Pass as Amended. Thank you.

**Speaker Jasper:** Does the member yield for questions? Member yields. Representative Ohm, you may inquire.

**Representative Ohm:** Thank you, Mister Speaker. I thank the Representative for taking my question. My understanding is that we now have additional privacy protections in Representative Kurk's floor amendment. Would you suggest that I ask my colleagues to join me in pressing the green button?

**Representative Packard:** I would strongly suggest that you ask your colleagues to join us in pressing the green button and between the committee amendment and Representative Kurk's amendment; we have ample security in there.

**Representative Ohm:** Thank you.

**Speaker Jasper:** Does the member yield to further questions? The member does not yield. Representative Leeman has requested a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members will take their seats. House will come to order. Members should be in their seats. The question is on the committee report on HB 1616 as amended. The Chair recognizes Representative Burt for a parliamentary inquiry.

**Representative Burt:** Thank you, Mister Speaker. My voice is almost back.

**Speaker Jasper:** I should bring them to order, however.

**Representative Burt:** Mister Speaker, if I know the fine Representative from Weare fought and killed Real ID in 2006 or 2007 to protect our privacy and if I further know that the fine Representative from Dunbarton and I flew out of the Manchester/Boston Regional airport using our State Representative ID card, which looks like we made it in our basement, and that is true? And lastly,

Mister Speaker, if I know this House should always protect our privacy and vote these bills down as we will be able to still fly? Let me repeat, we will still be able to fly after 2018 and 2020 with just a few extra minutes at check in time using our regular licenses, which I am happy to take the few extra minutes to protect our privacy.

**Speaker Jasper:** That's a question?

**Representative Burt:** Yes. Would I now vote no and push my favorite color, Mister Speaker, the red button? Thank you, Mister Speaker.

**Speaker Jasper:** The question is on the adoption of the committee report on HB 1616. If you are in favor; you will press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

**Representative Packard:** Thank you, Mister Speaker. If I know that this does not create a national database or a national ID card and if I know that this is completely 100% voluntary? If I know I am not willing at this time to commit our citizens to have to spend up to 2 to 3 hours extra in some airports just to board an airplane when it's unnecessary, would I now press the green button and support the committee report? Thank you, Mister Speaker.

**Speaker Jasper:** The question is on the adoption of the committee report on HB 1616, as amended. If you are in favor, you will press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 245 votes in the affirmative, 76 in the negative, the committee report is adopted. Under the Rules of the House the bill is referred to the Committee on Ways and Means. For what purpose does the member rise?

**Representative Ammon:** Thank you, Mister Speaker. I request that the remarks on the previous debate be entered into the Permanent Journal. I think it's important for the future.

**Speaker Jasper:** The motion is on printing the debate on HB 1616 in the Permanent Journal. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Chair is in doubt. The House will divide. Only members in the Hall. Members should be in their seats. If you are in favor of printing the remarks in the Journal, you will push the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 169 votes in the affirmative and 152 in the negative, the motion is adopted.

### REGULAR CALENDAR CONT'D

#### **HB 668-FN, relative to expense deductions under the business profits tax. INEXPEDIENT TO LEGISLATE.**

Rep. Brian Gallagher for Ways and Means. This bill allows a business organization to calculate increased expense deductions as defined by IRS code section 179, but not to exceed \$100,000, per calendar year under the Business Profits Tax. Testimony was received from CPA firms and the Department of Revenue Administration that the impact to business would be very difficult to measure. The additional concern expressed by accounting firms was that few businesses could potentially be economically impacted. The Department of Resources and Economic Development suggested that many business entities would not take advantage of the opportunity and that this incentive would not significantly impact important business decision making. Vote 19-0.

Rep. Abrami spoke against and yielded to questions.

Rep. Sanborn requested a roll call; sufficiently seconded.

**YEAS 134 NAYS 168**

#### **YEAS - 134**

#### **CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

#### **CHESHIRE**

Abbott, Michael

Berch, Paul

Bordenet, John

Chase, Cynthia

Eaton, Daniel

Ley, Douglas

Mann, John

Parkhurst, Henry

Pearson, William

Phillips, Larry

Roberts, Kris

Sad, Tara

Shepardson, Marjorie

Tatro, Bruce

Weber, Lucy

**COOS**

Hatch, William

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
 Ford, Susan  
 Maes, Kevin  
 Sykes, George

Almy, Susan  
 Hennessey, Martha  
 Massimilla, Linda  
 Townsend, Charles

Bennett, Travis  
 Higgins, Patricia  
 Nordgren, Sharon  
 White, Andrew

Cooney, Mary  
 Hull, Robert  
 Smith, Suzanne

**HILLSBOROUGH**

Baroody, Benjamin  
 Cohen, Alan  
 Edwards, Elizabeth  
 Guerette, C. Lee  
 Herbert, Christopher  
 Long, Patrick  
 Porter, Marjorie  
 Shaw, Barbara  
 Williams, Kermit

Beaulieu, Jane  
 Cornell, Patricia  
 Freitas, Mary  
 Hansberry, Daniel  
 Infantine, William  
 Mangipudi, Latha  
 Roberts, Carol  
 Snow, Kendall  
 Wolf, Terry

Booras, Efstathia  
 Cote, David  
 Goley, Jeffrey  
 Harvey, Suzanne  
 Jack, Martin  
 Manley, Jonathan  
 Rosenwald, Cindy  
 Soucy, Timothy  
 Woodbury, David

Christiansen, Lars  
 DiSilvestro, Linda  
 Gorman, Mary  
 Heath, Mary  
 Leishman, Peter  
 O'Brien, Michael  
 Shattuck, Gilman  
 Sullivan, Daniel

**MERRIMACK**

Bartlett, Christy  
 Doherty, David  
 Horn, Werner  
 MacKay, James  
 Rice, Chip  
 Shurtleff, Stephen

Bradley, Paula  
 Ebel, Karen  
 Karrick, David  
 Moffett, Howard  
 Rogers, Katherine  
 Turcotte, Alan

Carson, Clyde  
 Henle, Paul  
 Kenison, Linda  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Deloge, Helen  
 Hirsch, Geoffrey  
 Kidder, David  
 Ratzki, Mario  
 Schuett, Dianne

**ROCKINGHAM**

Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Francese, Paula  
 McBeath, Rebecca  
 Sherman, Thomas

Berrien, Skip  
 Cardon, G. Thomas  
 Gordon, Pamela  
 McKinney, Betsy  
 Simpson, Alexis

Borden, David  
 Cushing, Robert  
 Gordon, Richard  
 McMahon, Charles  
 Ward, Gerald

Cahill, Michael  
 Fesh, Robert  
 Heffron, Frank  
 Pantelakos, Laura  
 Woitkun, Steven

**STRAFFORD**

Baber, William  
 Horrigan, Timothy  
 Spang, Judith  
 Wall, Janet

Berube, Roger  
 Schmidt, Peter  
 Stevens, Audrey  
 Ward, Kenneth

Burton, Wayne  
 Smith, Marjorie  
 Treleaven, Susan

DiSesa, Len  
 Southworth, Thomas  
 Verschueren, James

**SULLIVAN**

Cloutier, John  
 Schmidt, Andrew

Converse, Larry

Gottling, Suzanne

Oxenham, Lee

**NAYS - 168****BELKNAP**

Aldrich, Glen  
 Fraser, Valerie  
 Spanos, Peter

Dumais, Russell  
 Gallagher, Brian  
 Sylvia, Michael

Fields, Dennis  
 LeBreche, Shari  
 Tilton, Franklin

Flanders, Donald  
 Luther, Robert  
 Vadney, Herbert

**CARROLL**

Avellani, Lino  
 McCarthy, Frank  
 Umberger, Karen

Chandler, Gene  
 McConkey, Mark  
 Wright, Ted

Comeau, Ed  
 Parker, Harold

Cordelli, Glenn  
 Schmidt, Stephen

**CHESHIRE**

Ames, Richard

Hunt, John

McConnell, James

Tilton, Benjamin



**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**Darrow, Stephen  
Ladd, RickGionet, Edmond  
Shackett, Jeffrey

Ingbretson, Paul

Johnson, Eric

**HILLSBOROUGH**Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Gagne, Larry  
Hinch, Richard  
Lachance, Joseph  
Moore, Josh  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Seidel, Carl  
Takesian, CharleneAmmon, Keith  
Boehm, Ralph  
Christie, Rick  
Estevez, Eric  
Gidge, Kenneth  
Hogan, Edith  
LeBrun, Donald  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rowe, Robert  
Souza, Kathleen  
Uler, JordanBalcom, John  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Gould, Linda  
Hopper, Gary  
McCarthy, Peggy  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Sanborn, Laurie  
Straight, PhillipBelanger, James  
Byron, Frank  
Danielson, David  
Fromuth, Bart  
Haefner, Robert  
Kurk, Neal  
McLean, Mark  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Schleien, Eric  
Sullivan, Victoria**MERRIMACK**Brewster, Michael  
Long, Douglas  
McGuire, DanHill, Gregory  
Marple, Richard  
Parent, JasonHoell, J.R.  
Martin, John  
Seaworth, BrianKuch, Bill  
McGuire, Carol**ROCKINGHAM**Abrami, Patrick  
Baldasaro, Alfred  
Christie, Andrew  
Doucette, Fred  
Gannon, William  
Hagan, Joseph  
Introne, Robert  
Lundgren, David  
Milz, David  
Peckham, Michele  
Sytek, John  
True, Chris  
Welch, DavidAbramson, Max  
Bates, David  
Cook, Allen  
Elliott, Robert  
Green, Dennis  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Potucek, John  
Tasker, Kyle  
Tucker, Pamela  
Weyler, KennethAllen, Mary  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Manning, John  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, JoanneAzarian, Gary  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Guthrie, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James**STRAFFORD**Beaudoin, Steven  
DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, KurtBickford, David  
Graham, Robert  
Jones, Laura  
Pitre, JosephBixby, Peter  
Gray, James  
Kaczynski, Jr., Thomas  
Sprague, DaleCheney, Catherine  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard**SULLIVAN**Gagnon, Raymond  
and the committee report failed.

Grenier, James

Laware, Thomas

Rollins, Skip

Rep. Abrami moved Ought to Pass and offered floor amendment (0464h).

**Floor Amendment (0464h)**

Amend the bill by replacing all after section 1 with the following:

2 Applicability. This act shall apply for tax periods beginning January 1, 2017.

3 Effective Date. This act shall take effect January 1, 2017.

Rep. Abrami spoke in favor.

Floor amendment (0464h) adopted.

Motion of Ought to Pass with Amendment adopted and referred to the Committee on Finance.

**REFERRAL DECLINED**

Rep. Major, Chairman of the Committee on Ways and Means, under the provisions of House Rule 46 (f), declined the referral of **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law.

**REGULAR CALENDAR CONT'D**

**HB 1184-FN**, relative to license fees for domestic wine manufacturers. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Abel for Commerce and Consumer Affairs. The bill sought to modify the license fee schedule for domestic (New Hampshire) wine manufacturers to increase the number of cases of wine that could be produced at the minimum annual license fee of \$100, from 1,000 to 10,000 cases per year. However, testimony revealed that wine manufacturers already enjoy the lowest licensing fees of all classes of alcoholic beverages. They pay less than one-half of the lowest license fees required for manufacturers of beer, liquor, and rectifiers. The Legislative Budget Assistant determined that this legislation, as introduced, creates a negative impact on state revenues in each of the fiscal years 2015 through 2020. A bipartisan majority concluded that wine manufacturers already receive encouragement to grow their industry from current license fees and the present schedule should be preserved as is. Vote 15-4. Committee report adopted.

**HB 1207-FN**, exempting wine sample fees from the meals and rooms tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Hunt for the Majority of Commerce and Consumer Affairs. Last year, legislation passed enabling beer, wine and distilled liquor manufacturers to charge for samples, which they had never been able to do before. Everyone understood at the time that any charge for samples would be susceptible to the Rooms and Meals tax. This is similar to brew pubs, who not only pay the beer tax, but also the Rooms and Meals tax when serving customers. The committee felt it would be unfair to exempt sampling when everybody else has to collect the tax. If the beverage and liquor manufacturers continue to give the samples away for free as they have in the past, then there would be no tax. Vote 14-5.

Rep. Pamela Tucker for the Minority of Commerce and Consumer Affairs. This bill eliminates the taxation of wine samples. A sample is designed to entice the buyer into a larger purchase and create more sales and tax revenue. Our wine manufacturers, who already pay a tax on the wine produced, whether sold or sampled at a nominal cost, have to collect a tax on the small samples they pour. This creates more reporting and increases the cost of doing business. The minority felt that the double taxation on wine samples creates a disincentive for their sale and will not create the additional revenue the sample was intended to produce. Majority committee report adopted.

**HB 1368-FN**, requiring firearms owners to have liability insurance. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill attempts to mandate that anyone who owns or purchases a firearm shall obtain a liability insurance policy. A majority of the committee felt that the bill should be found Inexpedient to Legislate because the mandated insurance is not currently available and, if it were, it would disproportionately affect those who are economically disadvantaged. This bill would create a de facto gun ban and self-defense ban on the poor. The committee received an overwhelming number of emails and personal testimony in opposition to this bill. The committee also noted that the state of New Hampshire does not require liability insurance to own or operate a motor vehicle upon a public way. Vote 20-1. Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 287 NAYS 22**

**YEAS - 287**

**BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
LeBreche, Shari  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
Comeau, Ed  
Schmidt, Stephen

Buco, Thomas  
Cordelli, Glenn  
Ticehurst, Susan

Butler, Edward  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
Wright, Ted

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
McConnell, James  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Hunt, John  
Parkhurst, Henry  
Sad, Tara

Berch, Paul  
Ley, Douglas  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Mann, John  
Roberts, Kris  
Tilton, Benjamin

**COOS**

Fothergill, John  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Richardson, Herbert  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Gionet, Edmond  
Ingbretson, Paul  
Massimilla, Linda  
Townsend, Charles

Bennett, Travis  
Hennessey, Martha  
Johnson, Eric  
Shackett, Jeffrey  
White, Andrew

Darrow, Stephen  
Higgins, Patricia  
Ladd, Rick  
Smith, Suzanne

Ford, Susan  
Hull, Robert  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Booras, Efstathia  
Christiansen, Lars  
Cornell, Patricia  
Edelblut, Frank  
Freitas, Mary  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Hopper, Gary  
Lachance, Joseph  
Manley, Jonathan  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Seidel, Carl  
Soucy, Timothy  
Sullivan, Victoria  
Wolf, Terry

Ammon, Keith  
Belanger, James  
Burt, John  
Christie, Rick  
Cote, David  
Edwards, Elizabeth  
Fromuth, Bart  
Gorman, Mary  
Hansberry, Daniel  
Herbert, Christopher  
Infantine, William  
LeBrun, Donald  
McCarthy, Peggy  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rice, Kimberly  
Rowe, Robert  
Shattuck, Gilman  
Souza, Kathleen  
Takesian, Charlene  
Woodbury, David

Backus, Robert  
Biggie, Barbara  
Byron, Frank  
Coffey, James  
Danielson, David  
Estevez, Eric  
Gagne, Larry  
Gould, Linda  
Hansen, Peter  
Hinch, Richard  
Jack, Martin  
Leishman, Peter  
McLean, Mark  
O'Brien, Michael  
Palmer, Barry  
Pierce, David  
Roberts, Carol  
Sanborn, Laurie  
Shaw, Barbara  
Straight, Phillip  
Ulery, Jordan

Balcom, John  
Boehm, Ralph  
Christensen, Chris  
Cohen, Alan  
DiSilvestro, Linda  
Ferreira, Elizabeth  
Gidge, Kenneth  
Guerette, C. Lee  
Harvey, Suzanne  
Hogan, Edith  
Kurk, Neal  
Long, Patrick  
Moore, Josh  
Ober, Lynne  
Parison, James  
Porter, Marjorie  
Rosenwald, Cindy  
Schleien, Eric  
Snow, Kendall  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kenison, Linda  
Marple, Richard  
Moffett, Howard  
Saunderson, George  
Turcotte, Alan

Brewster, Michael  
French, Harold  
Hoell, J.R.  
Kidder, David  
Martin, John  
Parent, Jason  
Schuett, Dianne  
Walsh, Thomas

Carson, Clyde  
Henle, Paul  
Horn, Werner  
Kuch, Bill  
McGuire, Carol  
Ratzki, Mario  
Seaworth, Brian

Deloge, Helen  
Hill, Gregory  
Karrick, David  
Long, Douglas  
McGuire, Dan  
Rice, Chip  
Shurtleff, Stephen

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Cahill, Michael
Call-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Cushing, Robert	DeSimone, Debra
Devine, James	Doucette, Fred	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francesse, Paula	Gannon, William
Gordon, Richard	Green, Dennis	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Lundgren, David	Major, Norman	Manning, John
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Packard, Sherman
Pantelakos, Laura	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Sherman, Thomas	Simpson, Alexis	Sytek, John
Tasker, Kyle	Thomas, Douglas	Tilton, Rio	True, Chris
Tucker, Pamela	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Bixby, Peter	Cheney, Catherine	DeLemus, Susan	DiSesa, Len
Graham, Robert	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John
Pitre, Joseph	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Verschueren, James	Wall, Janet	Ward, Kenneth
Wuelper, Kurt			

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Laware, Thomas	Rollins, Skip	Schmidt, Andrew
Smith, Steven			

**NAYS - 22****CHESHIRE**

Chase, Cynthia	Phillips, Larry	Tatro, Bruce
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**GRAFTON**

Abel, Richard	Cooney, Mary	Nordgren, Sharon
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**HILLSBOROUGH**

Beaulieu, Jane	Mangipudi, Latha
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**MERRIMACK**

Bartlett, Christy	Doherty, David	MacKay, James	Myler, Mel
Rogers, Katherine	Wallner, Mary Jane		

**ROCKINGHAM**

Berrien, Skip	Borden, David	Gordon, Pamela	McBeath, Rebecca
Ward, Gerald			

**STRAFFORD**

Burton, Wayne	Horrigan, Timothy
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**SULLIVAN**

Oxenham, Lee  
and the committee report was adopted.

**HB 1444-FN-A**, relative to the rate of the insurance premium tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Donald Flanders for the Majority of Commerce and Consumer Affairs. This bill proposes a .75% tax increase on insurance companies. Currently, insurance companies pay a tax of 1.25% of premiums or the Business Enterprise Tax (BET) and Business Profit Tax (BPT), whichever is higher. They also contribute about \$15 million a year to pay the cost of the Insurance Department and the Labor Department's Worker Compensation Division. The premium tax rate was lowered after considerable discussion and deliberation in 2006 as an economic development initiative. It has helped create about 1,000 New Hampshire jobs and insurance employment should continue to increase. Raising the tax would not be helpful to our economy. Vote 11-7.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. The reduction in insurance premium tax when instituted in 2006 was projected to increase jobs and economic activity in our state. Some projected as many as 3,400 new jobs would be created with an over \$60 million increase to personal incomes. When the reduction was passed, there was also a requirement to produce an annual report on the number of jobs created through this initiative. Those reports have not shown the job increases projected. Indeed testimony was given that only 9 jobs had been reported recently. That statement was vehemently challenged. There are clearly strong opinions on both sides of whether this premium tax reduction has had its intended result. The minority believes that now is the time to get better, more comprehensive, data about the impact of this change on the state's economy.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Butler spoke against.

Rep. Hunt spoke in favor.

Rep. Sanborn requested a roll call; sufficiently seconded.

**YEAS 195 NAYS 114****YEAS - 195****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
LeBreche, Shari  
Tilton, Franklin

Flanders, Donald  
Luther, Robert  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Wright, Ted

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Parker, Harold

Cordelli, Glenn  
Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
Phillips, Larry

Bordenet, John  
Roberts, Kris

Hunt, John  
Tatro, Bruce

McConnell, James  
Tilton, Benjamin

**COOS**

Fothergill, John  
Thomas, Yvonne

Richardson, Herbert

Rideout, Leon

Toll, John

**GRAFTON**

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

Hull, Robert  
Massimilla, Linda

Ingbreton, Paul  
Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Byron, Frank  
Coffey, James  
Estevez, Eric

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Ferreira, Elizabeth

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Eastman, Eric  
Fromuth, Bart

Beaulieu, Jane  
Burt, John  
Christie, Rick  
Edelblut, Frank  
Gagne, Larry

Gould, Linda  
Hogan, Edith  
Kurk, Neal  
McLean, Mark  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Straight, Phillip  
Wolf, Terry

Haefner, Robert  
Hopper, Gary  
Lachance, Joseph  
Moore, Josh  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria

Hansen, Peter  
Infantine, William  
LeBrun, Donald  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Takesian, Charlene

Hinch, Richard  
Jack, Martin  
McCarthy, Peggy  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Souza, Kathleen  
Ulery, Jordan

### MERRIMACK

Bradley, Paula  
Hill, Gregory  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Brewster, Michael  
Hoell, J.R.  
Long, Douglas  
McGuire, Dan

Ebel, Karen  
Hom, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kidder, David  
Martin, John  
Seaworth, Brian

### ROCKINGHAM

Abrami, Patrick  
Baldasaro, Alfred  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Hagan, Joseph  
Introne, Robert  
Lundgren, David  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Sytek, John  
True, Chris  
Welch, David

Abramson, Max  
Barnes, Arthur  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Tasker, Kyle  
Tucker, Pamela  
Weyler, Kenneth

Allen, Mary  
Bates, David  
Christie, Andrew  
Doucette, Fred  
Fesh, Robert  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Manning, John  
Milz, David  
Packard, Sherman  
Rice, Frederick  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

Azarian, Gary  
Cardon, G. Thomas  
Cook, Allen  
Elliott, Robert  
Gannon, William  
Guthrie, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Sherman, Thomas  
Tilton, Rio  
Webb, James

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Sprague, Dale

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 114

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Ley, Douglas  
Robertson, Timothy

Berch, Paul  
Mann, John  
Sad, Tara

Chase, Cynthia  
Parkhurst, Henry  
Shepardson, Marjorie

Eaton, Daniel  
Pearson, William  
Weber, Lucy

### COOS

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Nordgren, Sharon	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Booras, Efstathia	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Edwards, Elizabeth
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
O'Brien, Michael	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Williams, Kermit	Woodbury, David	

**MERRIMACK**

Bartlett, Christy	Carson, Clyde	Deloge, Helen	Doherty, David
Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
Mackay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Francese, Paula	Gordon, Pamela	Heffron, Frank
McBeath, Rebecca	Pantelakos, Laura	Simpson, Alexis	Ward, Gerald

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted.

**REFERRAL DECLINED**

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 668-FN**, relative to expense deductions under the business profits tax.

**REGULAR CALENDAR CONT'D**

**HB 1590-FN-A-L**, relative to the regulation and taxation of short-term rental businesses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. As most House members know, since about 2008 there has been an explosion of short-term rentals of residential properties being promoted through website platforms. Some of the platforms that help owners rent their properties are AirBNB, HomeAway, Flipkey, Pillow, VRBO, Beyond Stays, and Guesty, among others. Though these operators offer overnight accommodations and other services similar to traditional lodging businesses (which pay the state Rooms and Meals tax and comply with public health and safety regulations) many, if not most, do not apply for a Rooms and Meals tax license. In fact current law requires that any short-term rental is subject to the Rooms and Meals tax (RSA 78-A). This legislation will require that all residential short-term rental operators include their Rooms and Meals tax license number in all advertisements which will, of course, include online listings. This will give the Department of Revenue Administration another mechanism to determine if those using these website platforms are paying the required taxes. It may also serve to encourage neighbors who do pay this tax, to question neighbors who also provide short-term rentals who are not. Vote 15-4.

**Amendment (0287h)**

Amend the bill by replacing all after the enacting clause with the following:  
1 New Subdivision; Regulation of Short-Term Rental Businesses. Amend RSA 353 by inserting after section 10 the following new subdivision:

**Regulation of Short-Term Rental Businesses**

353:11 Definition. In this subdivision, “short-term rental business” means any person or entity which offers or advertises the rental of one or more rooms in a residential unit for occupancy for tourist or transient use.

353:12 Advertisements. Any advertisement by a short-term rental business for printing, display, publication, distribution, or broadcast offering a short-term rental shall clearly and conspicuously display the meals and rooms license number of the operator. A first-time violation of the provisions of this section may result in a warning from the department of revenue administration that the operator’s license may be revoked, suspended, or denied. Subsequent violations of the provisions of this paragraph may constitute sufficient cause for revocation, suspension, or denial of license.

2 Effective Date. This act shall take effect January 1, 2017.

**AMENDED ANALYSIS**

This bill requires advertisements by short-term rental businesses to display the meals and rooms license number of the operator.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 202    NAYS 107**

**YEAS - 202**

**BELKNAP**

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Luther, Robert	Tilton, Franklin		

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

**COOS**

Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Barody, Benjamin	Belanger, James
Biggie, Barbara	Booras, Efstathia	Christensen, Chris	Christiansen, Lars
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Freitas, Mary	Gagne, Larry



Gidge, Kenneth  
Hansberry, Daniel  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
Pellegriano, Anthony  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel

Goley, Jeffrey  
Hansen, Peter  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
Peterson, Ken  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

Gorman, Mary  
Harvey, Suzanne  
Infantine, William  
Leishman, Peter  
O'Brien, Michael  
Pierce, David  
Rowe, Robert  
Soucy, Timothy  
Wolf, Terry

Haefner, Robert  
Heath, Mary  
Jack, Martin  
Long, Patrick  
Palmer, Barry  
Porter, Marjorie  
Shattuck, Gilman  
Souza, Kathleen  
Woodbury, David

### MERRIMACK

Bartlett, Christy  
Ebel, Karen  
Hirsch, Geoffrey  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen

Bradley, Paula  
Frazer, June  
Karrick, David  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
French, Harold  
Kenison, Linda  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Doherty, David  
Henle, Paul  
Kidder, David  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Gordon, Pamela  
Heffron, Frank  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Sherman, Thomas  
Ward, Gerald  
Woitkun, Steven

Allen, Mary  
Borden, David  
Christie, Andrew  
Elliott, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Simpson, Alexis  
Webb, James

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Sytek, John  
Welch, David

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Francesca, Paula  
Hagan, Joseph  
Katsakiores, Phyllis  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Tilton, Rio  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Southworth, Thomas  
Verschueren, James

Berube, Roger  
Cheney, Catherine  
Mullen, John  
Spang, Judith  
Wall, Janet

Bickford, David  
DiSesa, Len  
Schmidt, Peter  
Stevens, Audrey  
Ward, Kenneth

Bixby, Peter  
Gray, James  
Smith, Marjorie  
Treleaven, Susan

### SULLIVAN

Cloutier, John  
Grenier, James

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

### NAYS - 107

### BELKNAP

Aldrich, Glen  
Sylvia, Michael

Dumais, Russell  
Vadney, Herbert

LeBreche, Shari

Spanos, Peter

### CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Wright, Ted

### CHESHIRE

McConnell, James

Tilton, Benjamin

### COOS

Rideout, Leon

**GRAFTON**

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
White, Andrew

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Edelblut, Frank  
Fromuth, Bart  
Lachance, Joseph  
Murphy, Keith  
Ohm, Bill  
Rouillard, Claire  
Straight, Phillip

Ammon, Keith  
Byron, Frank  
Edwards, Elizabeth  
Gould, Linda  
McCarthy, Peggy  
Notter, Jeanine  
Parison, James  
Sanborn, Laurie  
Sullivan, Victoria

Beaulieu, Jane  
Christie, Rick  
Estevez, Eric  
Hogan, Edith  
McLean, Mark  
Ober, Lynne  
Proulx, Mark  
Schleien, Eric  
Takesian, Charlene

Boehm, Ralph  
Eastman, Eric  
Ferreira, Elizabeth  
Hopper, Gary  
Moore, Josh  
Ober, Russell  
Rice, Kimberly  
Seidel, Carl  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Martin, John  
Seaworth, Brian

Deloge, Helen  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
Ferrante, Beverly  
Harris, Jeffrey  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Ward, Joanne

Baldasaro, Alfred  
Cook, Allen  
Gannon, William  
Hodgdon, Bruce  
Manning, John  
Thomas, Douglas

Bates, David  
Doucette, Fred  
Gordon, Richard  
Itse, Daniel  
Osborne, Jason  
True, Chris

Chase, Francis  
Emerick, J. Tracy  
Green, Dennis  
Kappler, Lawrence  
Potucek, John  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Pitre, Joseph

DeLemus, Susan  
Jones, Laura  
Sprague, Dale

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Groen, Warren  
Leeman, Don  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

Rollins, Skip

and the committee report was adopted and referred to the Committee on Ways and Means.

**HB 1647-FN**, repealing laws regulating hawkers and peddlers and itinerant vendors. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bart Fromuth for the Majority of Commerce and Consumer Affairs. This bill repeals laws regulating hawkers, peddlers and itinerant vendors at the state level. The majority of the committee feels that these laws, one originally adopted in 1897 and the other in 1931, have outlived their utility and purpose. Over the years, so many exemptions had been written into the laws that it was difficult for the committee to discern who might still be subject to their requirements. As an example, the exemptions include: charities, religious groups, home goods sales political organizations, and any person conducting business in any industry or trade association show. Further, it seemed as though many of the state's remaining licensees had availed themselves of the licenses mistakenly due to the confusion surrounding the exemptions. We also heard testimony from a former police officer and license holder that the licenses were no longer necessary. Vote 10-9.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. No town official or citizen has come to their elected state representatives and said that these laws present a problem. In the committee hearings we heard from the Secretary of State's office that they are useful and necessary. We heard from a town police chief and a representative of the State Police, representing the concerns of several towns, that these statutes give towns the basis upon which to create their own local ordinances relative to hawkers and peddlers; and that they make it possible for them to do the necessary background checks on those applying for these licenses. The minority believes that until those finding these laws useful come to us to request a change, that the laws should continue to offer the basis for protection of our citizens from unscrupulous door-to-door peddlers.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Williams spoke against and yielded to questions.

Rep. Fromuth spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

## YEAS 168 NAYS 142

### YEAS - 168

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	

#### CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

#### CHESHIRE

Hunt, John	McConnell, James	Roberts, Kris	Tilton, Benjamin
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#### COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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#### GRAFTON

Darrow, Stephen	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Shackett, Jeffrey	

#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Biggie, Barbara
Boehm, Ralph	Burt, John	Christensen, Chris	Christie, Rick
Coffey, James	Cohen, Alan	Danielson, David	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gould, Linda	Haefner, Robert
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Kurk, Neal	Lachance, Joseph	McCarthy, Peggy
McLean, Mark	Moore, Josh	Murphy, Keith	Notter, Jeanine
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Seidel, Carl	Straight, Phillip
Sullivan, Victoria	Takesian, Charlene	Ulery, Jordan	Wolf, Terry

#### MERRIMACK

French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kidder, David	Kuch, Bill	Long, Douglas	Marple, Richard
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian

#### ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Bates, David	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
Doucette, Fred	Elliott, Robert	Emerick, J. Tracy	Fesh, Robert
Gannon, William	Green, Dennis	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Katsakiores, Phyllis	Lundgren, David	Major, Norman
Manning, John	Matthews, Carolyn	McMahon, Charles	Milz, David

Nigrello, Robert  
Peckham, Michele  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth

O'Connor, John  
Potucek, John  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Tilton, Rio  
Webb, James

Packard, Sherman  
Rice, Frederick  
True, Chris  
Welch, David

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Mullen, John

### SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 142

### BELKNAP

Fields, Dennis

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Parkhurst, Henry  
Sad, Tara

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Shepardson, Marjorie

Berch, Paul  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Bordenet, John  
Mann, John  
Robertson, Timothy  
Weber, Lucy

### COOS

Fothergill, John  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

Theberge, Robert

### GRAFTON

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Hennessey, Martha  
Nordgren, Sharon  
White, Andrew

Bennett, Travis  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Maes, Kevin  
Sykes, George

### HILLSBOROUGH

Backus, Robert  
Christiansen, Lars  
Freitas, Mary  
Hansberry, Daniel  
Jack, Martin  
Long, Patrick  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel

Baroody, Benjamin  
Cornell, Patricia  
Gidge, Kenneth  
Harvey, Suzanne  
Judy, Jean  
Mangipudi, Latha  
Roberts, Carol  
Snow, Kendall  
Williams, Kermit

Beaulieu, Jane  
Cote, David  
Goley, Jeffrey  
Heath, Mary  
LeBrun, Donald  
Manley, Jonathan  
Rosenwald, Cindy  
Soucy, Timothy  
Woodbury, David

Byron, Frank  
DiSilvestro, Linda  
Gorman, Mary  
Herbert, Christopher  
Leishman, Peter  
O'Brien, Michael  
Shattuck, Gilman  
Souza, Kathleen

### MERRIMACK

Bartlett, Christy  
Deloge, Helen  
Henle, Paul  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

Bradley, Paula  
Doherty, David  
Hirsch, Geoffrey  
Martin, John  
Rice, Chip  
Shurtleff, Stephen

Brewster, Michael  
Ebel, Karen  
Karrick, David  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Kenison, Linda  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Azarian, Gary	Barnes, Arthur	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Ferrante, Beverly
Francese, Paula	Gordon, Pamela	Gordon, Richard	Guthrie, Joseph
Heffron, Frank	Kappler, Lawrence	McBeath, Rebecca	McKinney, Betsy
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Oxenham, Lee	Schmidt, Andrew	

and the committee report was adopted and referred to the Committee on Ways and Means.

**HB 1694-FN-A-L**, relative to the legalization and regulation of marijuana. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for the Majority of Criminal Justice and Public Safety. This bill would have legalized possession of marijuana for persons over the age of 21 and legalized the cultivation of up to 6 plants, of which 3 could be adult plants which could produce up to 3 pounds. After hearing testimony on the practices in other states, the sponsors indicated that it would be a much needed source of revenue for the State of New Hampshire. The committee also heard testimony from many sources, including the proponents of legalization, that marijuana is not a harmless drug. The majority of the committee believes that legalizing marijuana and allowing the cultivation of up to 6 plants would not prevent persons under the age of 21 from obtaining the drug from either legal or illicit means. The committee feels that in light of the ongoing opioid crisis and the information given to the task force about how a young man went from marijuana use to prescription drugs and on to heroin addiction, that now is not the time to legalize a drug that is illegal under federal statutes. The committee further believes that relying on the sale and taxation of a federally illegal drug is not the NH way to address the state's fiscal needs. Vote 11-4.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. The minority believes that this bill is a well-crafted piece of legislation providing adult NH citizens over the age of 21 with a controlled, tested, labeled, and less harmful alternative to alcohol - without turning users into criminals. 58% of Americans nationally and 60% of NH citizens support the legalization of recreational marijuana sold and taxed like alcohol (WMUR Poll 7/15). This bill is modeled after the best practices adopted in states currently regulating marijuana successfully in accordance with public health and safety. Passage of this bill will, by the most conservative estimates, divert hundreds of millions of dollars from the illicit drug market to a regulated market. Regulations in this bill protect the consumer without minimizing marijuana's risks. Resulting jobs created in NH will range from agriculture to manufacturing to laboratories to retail sales. Tax provisions in this bill will provide the State of NH with much needed revenue. Recreational marijuana is currently legal in 4 states and Washington DC. According to USA Today, 11 states -- most notably Vermont, Maine, Massachusetts, Rhode Island, and Connecticut -- will likely adopt legalization of marijuana this year or next. NH could soon be surrounded by states that have ended the prohibition of marijuana for adult use. Supporters of this bill are not blind to NH's, indeed the nation's, crisis with opiates and related deaths. But consider this: according to the US CDC, in 2015 over 17,000 people died from illicit drug overdoses (heroin, cocaine, etc.); over 25,000 people died from overdoses of prescription drugs; over 50,000 people died from alcohol related diseases and overdoses. During that same period 0 people died from an overdose of cannabis. In numerous reputable studies, gateway drug assertions have been shown to be unwarranted. The message this legislation brings to citizens of all ages is that we will no longer tolerate marijuana coming from the hands of callous drug dealers who tempt customers into more dangerous substances (as happens now). Rather, NH will provide tested, regulated, and labeled marijuana products adults can understand and trust. The message is that legislators can be responsive to public opinion, responsible in their actions, and reasonable in their laws.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
 Rep. Hirsch spoke against.  
 Reps. Hansen and Tholl spoke in favor.  
 Rep. Kappler requested a roll call; sufficiently seconded.

**YEAS 190 NAYS 112****YEAS - 190****BELKNAP**

Dumais, Russell  
 Luther, Robert

Fields, Dennis  
 Spanos, Peter

Flanders, Donald  
 Tilton, Franklin

LeBreche, Shari

**CARROLL**

Avellani, Lino  
 McCarthy, Frank  
 Umberger, Karen

Buco, Thomas  
 McConkey, Mark

Chandler, Gene  
 Parker, Harold

Cordelli, Glenn  
 Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
 McConnell, James  
 Shepardson, Marjorie

Ames, Richard  
 Parkhurst, Henry

Hunt, John  
 Roberts, Kris

Mann, John  
 Sad, Tara

**COOS**

Fothergill, John  
 Rideout, Leon

Hatch, William  
 Tholl, John

Rappaport, Laurence  
 Thomas, Yvonne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
 Johnson, Eric  
 Smith, Suzanne

Almy, Susan  
 Ladd, Rick  
 Sykes, George

Cooney, Mary  
 Massimilla, Linda  
 White, Andrew

Gionet, Edmond  
 Nordgren, Sharon

**HILLSBOROUGH**

Backus, Robert  
 Booras, Efstathia  
 Coffey, James  
 Gagne, Larry  
 Haefner, Robert  
 Hinch, Richard  
 Leishman, Peter  
 Notter, Jeanine  
 Ohm, Bill  
 Pierce, David  
 Roberts, Carol  
 Seidel, Carl  
 Souza, Kathleen  
 Williams, Kermit

Belanger, James  
 Byron, Frank  
 Danielson, David  
 Goley, Jeffrey  
 Hansberry, Daniel  
 Hogan, Edith  
 Manley, Jonathan  
 O'Brien, Michael  
 Palmer, Barry  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Shattuck, Gilman  
 Straight, Phillip  
 Wolf, Terry

Biggie, Barbara  
 Christensen, Chris  
 Estevez, Eric  
 Gorman, Mary  
 Hansen, Peter  
 Hopper, Gary  
 McCarthy, Peggy  
 Ober, Lynne  
 Pellegrino, Anthony  
 Proulx, Mark  
 Rouillard, Claire  
 Snow, Kendall  
 Sullivan, Daniel  
 Woodbury, David

Boehm, Ralph  
 Christie, Rick  
 Ferreira, Elizabeth  
 Gould, Linda  
 Harvey, Suzanne  
 Kurk, Neal  
 Moore, Josh  
 Ober, Russell  
 Peterson, Ken  
 Rice, Kimberly  
 Sanborn, Laurie  
 Soucy, Timothy  
 Ulery, Jordan

**MERRIMACK**

Bradley, Paula  
 Hill, Gregory  
 Kuch, Bill  
 Rogers, Katherine  
 Walsh, Thomas

Doherty, David  
 Horn, Werner  
 Marple, Richard  
 Schuett, Dianne

Ebel, Karen  
 Karrick, David  
 Martin, John  
 Shurtleff, Stephen

French, Harold  
 Kenison, Linda  
 Myler, Mel  
 Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
 Berrien, Skip  
 Chase, Francis  
 Devine, James

Allen, Mary  
 Borden, David  
 Christie, Andrew  
 Doucette, Fred

Azarian, Gary  
 Cahill, Michael  
 Cook, Allen  
 Elliott, Robert

Bates, David  
 Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Ferrante, Beverly

Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
Matthews, Carolyn  
Osborne, Jason  
Potucek, John  
Thomas, Douglas  
Webb, James

Francesse, Paula  
Green, Dennis  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McKinney, Betsy  
Packard, Sherman  
Rice, Frederick  
Tilton, Rio  
Welch, David

Gannon, William  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman  
McMahon, Charles  
Pantelakos, Laura  
Sherman, Thomas  
Tucker, Pamela  
Weyler, Kenneth

Gordon, Pamela  
Hagan, Joseph  
Introne, Robert  
Manning, John  
Nigrello, Robert  
Peckham, Michele  
Sytek, John  
Ward, Joanne

**STRAFFORD**

Baber, William  
DiSesa, Len  
Leeman, Don  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
Graham, Robert  
Mullen, John  
Sprague, Dale  
Wuelper, Kurt

Cheney, Catherine  
Gray, James  
Pitre, Joseph  
Stevens, Audrey

DeLemus, Susan  
Groen, Warren  
Schmidt, Peter  
Turcotte, Leonard

**SULLIVAN**

Cloutier, John  
Rollins, Skip

Gagnon, Raymond  
Smith, Steven

Gottling, Suzanne

Laware, Thomas

**NAYS - 112****BELKNAP**

Aldrich, Glen

Fraser, Valerie

Sylvia, Michael

Vadney, Herbert

**CARROLL**

Butler, Edward

Comeau, Ed

Ticehurst, Susan

Wright, Ted

**CHESHIRE**

Berch, Paul  
Ley, Douglas  
Sterling, Franklin

Bordenet, John  
Pearson, William  
Tatro, Bruce

Chase, Cynthia  
Phillips, Larry  
Tilton, Benjamin

Eaton, Daniel  
Robertson, Timothy  
Weber, Lucy

**COOS**

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Bennett, Travis  
Higgins, Patricia  
Shackett, Jeffrey

Darrow, Stephen  
Hull, Robert  
Townsend, Charles

Ford, Susan  
Ingretson, Paul

Hennessey, Martha  
Maes, Kevin

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
DiSilvestro, Linda  
Freitas, Mary  
Jack, Martin  
Mangipudi, Latha  
Shaw, Barbara

Ammon, Keith  
Christiansen, Lars  
Eastman, Eric  
Gidge, Kenneth  
Judy, Jean  
McLean, Mark  
Takesian, Charlene

Baroody, Benjamin  
Cohen, Alan  
Edelblut, Frank  
Heath, Mary  
Lachance, Joseph  
Murphy, Keith

Beaulieu, Jane  
Cornell, Patricia  
Edwards, Elizabeth  
Herbert, Christopher  
Long, Patrick  
Schleien, Eric

**MERRIMACK**

Bartlett, Christy  
Frazer, June  
Hoell, J.R.  
McGuire, Carol  
Rice, Chip

Brewster, Michael  
French, Barbara  
Kidder, David  
McGuire, Dan  
Saunderson, George

Carson, Clyde  
Henle, Paul  
Long, Douglas  
Parent, Jason  
Seaworth, Brian

Deloge, Helen  
Hirsch, Geoffrey  
Mackay, James  
Ratzki, Mario  
Turcotte, Alan

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
Heffron, Frank  
Milz, David  
Ward, Gerald

Baldasaro, Alfred  
Cushing, Robert  
Itse, Daniel  
O'Connor, John

Barnes, Arthur  
Emerick, J. Tracy  
Lundgren, David  
Prudhomme-O'Brien, Katherine

Cardon, G. Thomas  
Guthrie, Joseph  
McBeath, Rebecca  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Smith, Marjorie  
Ward, Kenneth

Bickford, David  
Horrigan, Timothy  
Spang, Judith

Bixby, Peter  
Jones, Laura  
Treleaven, Susan

Burton, Wayne  
Kaczynski, Jr., Thomas  
Verschueren, James

**SULLIVAN**

Converse, Larry  
and the majority committee report was adopted.

Grenier, James

Oxenham, Lee

Schmidt, Andrew

**BILLS REMOVED FROM THE CONSENT CALENDAR ON FEBRUARY 10, 2016**  
**HB 1495-FN-L**, relative to insurance incentives to lower costs of health care. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald Flanders for Commerce and Consumer Affairs. The committee determined that, while well intended, this bill is too prescriptive and a government mandate of this kind is not necessary. Insurance carriers already offer their members transparency tools that provide cost and quality information for more than 1,000 health care services. These tools, along with innovative provider networks and health plan designs, are successfully encouraging consumers to make informed decisions and are lowering costs for everyone. This bill also presents a number of operational and administrative problems. The committee determined that this bill would inhibit the innovation that is already taking place and that giving health insurance carriers the flexibility to offer different incentives and programs will better serve the public than a legislative mandate. Vote 16-2.  
 Committee report adopted.

**HB 1189-FN**, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education. In 1807, the NH Legislature granted Dartmouth College a grant of land known as the Second College Grant, and in 1883, the state appropriated and paid Dartmouth the sum of \$10,000. Income from the Second College Grant and the 1883 Fund are to be used for education of indigent NH youth. Both the 1807 and 1883 legislative acts required Dartmouth to annually prepare and submit accounting for the grants to the Governor. Reporting aspects of the legislation did not occur. This bill seeks to correct reporting needs and would impose a \$10,000 fine for each year Dartmouth trustees failed to timely file annual reports and further would set a fund for indigent students within the Department of Education. In light of the recent memorandum of understanding signed by the Charitable Trusts Unit of the NH Department of Justice and Trustees of Dartmouth College addressing and correcting issues noted in the bill, the committee resolves that the bill is no longer necessary given the MOU dated December 10, 2015. Vote 17-2.  
 Committee report adopted.

**HB 1566-FN**, relative to out-of-state transportation companies. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The committee determined that the bill would require the booking of existing medical managed care contracts in potential violation of existing contract law. In addition, the committee heard testimony that prohibiting out-of-state transportation companies from providing services would be in violation of federal law. Vote 15-1.  
 Committee report adopted.

**HB 1581-FN-A**, establishing a special marriage officiant license. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would allow any person to solemnize one marriage for a fee which would go to the Victim's Assistance Fund. The majority of the committee saw no need to expand the authority to perform marriage ceremonies. Vote 11-5.  
 Rep. Wuelper spoke in favor.

Rep. Cushing spoke against, yielded to questions and requested a roll call; not sufficiently seconded.



On a division vote, with 223 members having voted in the affirmative and 74 in the negative, the committee report was adopted.

**HB 1593-FN-L**, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. **INEXPEDIENT TO LEGISLATE.** Rep. Lucy Weber for Legislative Administration. The first section of this bill prohibits public bodies and agencies from recovering labor costs for searching and compiling information requested under the right-to-know law. The committee received testimony that these costs are already unrecoverable under the present language, so the change is not needed. The remaining two sections require the public filing of significant information having to do with member spouses, their employment, and their business interests. Representatives are bound by the Legislative Ethics rules and it is important that Representatives' information is available to the public. Committee members believed that spouses of Representatives should retain their privacy. Vote 9-0. Committee report adopted.

**HB 1693-FN-L**, abolishing fluoridation in water. **INEXPEDIENT TO LEGISLATE.** Rep. Paula Francese for Resources, Recreation and Development. This bill would prohibit the introduction of fluoride into drinking water supplies in the state. It contains a number of issues of concern for the committee. Tooth decay is one of the most common chronic diseases among American children. According to the National Center for Health Statistics, one of four children living below the federal poverty level experience untreated tooth decay. The safety and benefits of fluoride are well documented and have been reviewed comprehensively by several scientific and public health organizations. No convincing scientific evidence has been found linking fluoridation with any potential adverse health effect or systemic disorder. With regard to cost, according to the American Dental Association the cost of a lifetime of water fluoridation is less than the cost of a single filling. By preventing tooth decay, community water fluoridation has been shown to save money, both for families and the health care system. SB 449, passed in 2004, established a procedure for voting on the introduction of fluoride into public water supplies at the local level. New Hampshire statutes specify procedures by which supplemental fluoridation of public water supplies can be accomplished. These statutes require that any proposal to fluoridate be subject to a vote and that majority approval is needed to begin fluoridation. Once fluoridation begins, the Department of Environmental Services monitors water supplies to ensure the proper concentration is achieved and maintained. Further, test kits are available for homeowners whose artesian well water contains naturally occurring fluoride. The committee believes that the pros and cons of fluoridation is a subject individuals and families need to discuss with their health care providers and that community water fluoridation is a decision best made at the local level. Vote 16-2. Rep. Valerie Fraser spoke against. Rep. Francese spoke in favor. Committee report adopted.

## RESOLUTION

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, March 9, 2016 at 9:00 a.m.

## LATE SESSION

### Third Reading and Final Passage

**HB 1434-FN**, relative to out-of-home placements under the child protection act.

**HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law.

**HB 668-FN**, relative to expense deductions under the business profits tax.

## UNANIMOUS CONSENT

Rep. Webb requested Unanimous Consent of the House regarding an apology and addressed the House. Rep. Kris Roberts requested Unanimous Consent of the House regarding Black History Month and addressed the House.

**MOTION TO PRINT REMARKS**

Rep. Hinch moved that the remarks made by Rep. Kris Roberts during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

**REMARKS**

**Rep. Kris Roberts:** Today I stand here because it is Black History Month. But to me it is much more than that. Yes it involves our African roots, and our black ancestors. However, to me Black History Month is not a stand-alone history. It is American history. Black history is not about a group of people, who based on their color have become to be viewed by many not as equals but, "perennial victims; victims who were stripped of their culture and humanity and forced to live out their lives in slavery." Black History Month is about how all of us stand, not on the shoulders of giants, but on the shoulders of men and women; who through their sweat, tears, pain, and suffering without surrendering their dignities, played a major role in helping make the United States into the greatest industrial powerhouse the world has ever known; a democracy that still spends American blood and treasure fighting for democracy and human rights worldwide. Even after the words of President James A. Garfield spoken in 1881, "The elevation of the Negro race from slavery to the full rights of citizenship is the most important political change we have known since the adoption of the Constitution of 1787. No thoughtful man can fail to appreciate its beneficent effect upon our institutions and people. So far as my authority can lawfully extend, they shall enjoy the full and equal protection of the Constitution and the laws." A democracy that has delayed ensuring the same civil and human rights to every single American regardless of race, religion, sex, and sexual orientation. I don't stand here to place blame, I don't stand here to judge the actions of our nation's forefathers by today's morals, to absolute anyone for their actions, least of all to be political correct. I know I will speak of unpleasant historical facts. I stand here to inform, to enlighten, but most of all to tell the black youth of New Hampshire that they have the right to be proud; proud of the fact that the labors of our ancestors were major contributors to making America the greatest country in the history of the world. When Colin Powell was born, descended from black slaves, born under Jim Crow rules, no one could ever have dreamt that he, a black American, despite the words of Senator Robert C. Byrd spoken in 1944, "I shall never fight in the armed forces with a Negro by my side. Rather I should die a thousand times, and see Old Glory trampled in the dirt never to rise again, than to see this beloved land of ours become degraded by race mongrels, a throwback to the blackest specimen from the wilds," would become the Chairman of the Joint Chiefs of Staff or later Secretary of State. American history is about how more than half of all slave voyages left and returned from almost every port city in the United States; Portsmouth, Newport, Salem, Boston, Middletown, and New London, to name a few. Transporting mostly after 1808, about 180,000 of the approximately 388-450,000 black men and women who were captured, sold, survived the trans-Atlantic journey to what was to become the United States and resold; often repeatedly. Or, in the words of Lorenzo Green, a renowned author on black life in 17<sup>th</sup>-18<sup>th</sup> century New England, "The effects of the New England slave trade were momentous. It was one of the foundations of New England's economic structure; it created a wealthy class of slave-trading merchants, while the profits derived from this commerce stimulated cultural development and philanthropy," colleges, museums and music halls. The trade brought great wealth to some merchants and investors and created jobs for tens of thousands of others. In addition to the sailors employed in the trade, many people worked in industries dependent on the slave trade; rope making, iron forging, candle manufacturing, carpentry, logging, newspapers, distilleries, tanners, lawyers, fishermen, farmers, and the cotton mills of Fall River, Lowell, and Manchester. I could go on. Steven Bressler said, "Once you begin to see these great seaports and these great historic houses, everywhere you look, you can follow it back to the agricultural trade of the West Indies, to the trade of bodies in Africa, to the unpaid labor of black people. What people need to understand is that, here in the North, while there were not the large plantations of the South or the Caribbean islands, there were families who owned slaves. There were businesses actively involved in the slave trade. Slavery was a major stimulus to the New England economy." In March 1835, 28 white and 14 black students begin classes at the newly founded Noyes Academy in a small New Hampshire town. The school admitted qualified students, regardless of race. Its policy was clear, "To afford colored youth a fair opportunity to show that they are capable, equally with the whites, of improving themselves in every scientific attainment, every social virtue, and every Christian ornament." The citizens of this NH town called a meeting and declared that they were "determined to

take effectual measures to remove the school.” The town appointed a committee “To do away with the school in the interest of the town, and the honor of the State.” It rounded up men from surrounding towns and with about 100 yoke of oxen, pulled down the school and dragged it to the Baptist church located near the town commons. When their work was completed, the committee met once more to praise the Constitution and invoke the memories of the patriots of ‘76. The *Concord Patriot* wrote, “Joyful to the friends of this country.” Speaking in Congress, New Hampshire Senator Isaac Hill defended the citizens’ actions, stating their goal had been to thwart the abolitionist scheme to mingle the children of the two races. In New England, one need look no further than a symbol that graces welcome mats, door knockers, bedposts, and all manner of household décor; the pineapple. That exotic fruit is as intertwined with slavery as the Confederate flag. When New England ships came to port, captains would impale pineapples on a fence post, a sign to everyone that they were home and open for business, bearing the bounty of slave labor and sometimes slaves themselves. Let us not forget, while we may wish to change dark events of our past, we must remember to do so is to change the present. Thank you.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 1:45 p.m.

### RECESS

(Rep. Hinch in the Chair)

### ENROLLED BILL AMENDMENTS

**SB 144**, relative to carry-over coverall bingo and shared carry-over coverall bingo. (Amendment printed SJ 2-18-16)  
Adopted.

**SB 265-FN**, establishing the achieving a better life experience (ABLE) savings account program. (Amendment printed SJ 2-18-16)  
Adopted.

### REFERRAL DECLINED

Rep. Kurk Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 1430-FN**, relative to registration of compact utility tractors.

### RECESS

(Rep. Packard in the Chair)

### RESOLUTION

Rep. Hinch offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 59, 127, 129, 152, 210, 239, 302, 309, 312, 313, 314, 315, 316, 318, 319, 322, 328, 331, 333, 361, 371, 373, 375, 377 and 378 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.  
Motion adopted.

### INTRODUCTION OF SENATE BILLS

#### First, second reading and referral

**SB 59**, relative to the removal of county officers and temporary filling of the office. (Municipal and County Government)

**SB 127-FN**, relative to the appointment of special Medicaid representatives. (Health, Human Services and Elderly Affairs)

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. (Executive Departments and Administration)

**SB 152**, relative to criminal history records checks for school employees and designated school volunteers. (Education)

- SB 210-FN**, relative to regulation of septic system evaluators. (Executive Departments and Administration)
- SB 239-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means)
- SB 302-FN-A**, making an appropriation to the department of safety for disaster and emergency response preparedness. (Finance)
- SB 309**, relative to sulfur limits of certain liquid fuels. (Science, Technology and Energy)
- SB 312**, relative to epinephrine administration in independent schools. (Education)
- SB 313**, relative to requirements for licensed estheticians. (Executive Departments and Administration)
- SB 314**, relative to the membership of the higher education commission. (Education)
- SB 315**, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists. (Executive Departments and Administration)
- SB 316**, relative to placement decisions by a child's individualized education program team. (Education)
- SB 318**, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. (Resources, Recreation and Development)
- SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. (Executive Departments and Administration)
- SB 322**, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. (Education)
- SB 328-L**, relative to school districts and school administrative units exercising joint powers with other public agencies. (Education)
- SB 331**, relative to fulfilling the requirement for a notarized signature electronically. (Judiciary)
- SB 333**, relative to net energy metering. (Science, Technology and Energy)
- SB 361**, banning the sale of premixed synthetic urine. (Health, Human Services and Elderly Affairs)
- SB 371**, relative to school lunch meal payment policies. (Education)
- SB 373**, relative to the information technology infrastructure in public schools. (Education)
- SB 375**, establishing the coastal marine natural resources and environment commission. (Resources, Recreation and Development)
- SB 377**, relative to emission levels of municipal waste combustion units. (Science, Technology and Energy)
- SB 378**, relative to the availability of net metering tariffs. (Science, Technology and Energy)

## RECESS

(Speaker Jasper in the Chair)

## RESOLUTION

Rep. Packard offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 121, 332, 352, 356, 357, 380, 392, 396, 397, 398, 426, 427, 437, 440, 444, 453, 460, 464, 480, 485 and 522 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

## INTRODUCTION OF SENATE BILLS

### First, second reading and referral

- SB 121-FN-L**, relative to exceptions from the land use change tax for removal of certain materials. (Environment and Agriculture)
- SB 332**, relative to state procurement of goods and services. (Executive Departments and Administration)
- SB 352**, naming a cove in Lake Winnepesaukee as Ritson Cove. (Resources, Recreation and Development)
- SB 356-FN**, relative to agricultural plates for vehicles of commercial fishing operations. (Transportation)
- SB 357**, relative to driver's license examinations. (Transportation)
- SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Resources, Recreation and Development)
- SB 392**, relative to the special training licenses issued by the board of podiatry. (Executive Departments and Administration)
- SB 396**, relative to compatibility of electrical devices with the National Electric Code and the state building code. (Executive Departments and Administration)
- SB 397**, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. (Executive Departments and Administration)

**SB 398**, relative to renewal of licenses issued by the board of funeral directors and embalmers. (Executive Departments and Administration)

**SB 426**, establishing an end-of-life choices study commission. (Judiciary)

**SB 427**, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. (Health, Human Services and Elderly Affairs)

**SB 437**, establishing a commission to address child hunger in New Hampshire. (Children and Family Law)

**SB 440-FN**, repealing the repeal of certain fees in the shoreland protection act. (Ways and Means)

**SB 444-FN**, relative to lottery retailer incentive awards. (Ways and Means)

**SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. (Education)

**SB 460**, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. (Education)

**SB 464-FN-A**, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. (Ways and Means)

**SB 480-FN-A**, relative to the state house visitor's center revolving fund. (Legislative Administration)

**SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor. (Finance)

**SB 522-A**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. (Finance)

## SENATE MESSAGES

### CONCURRENCE WITH AMENDMENTS

**SB 110-FN**, establishing the administrative supervision act.

**SB 157-FN**, requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.

**SB 227-FN**, relative to calculating the cost of an adequate education.

### COMMITTEE ASSIGNMENTS

The Speaker made the following change to committee assignments:

Rep. Tasker off the Committee on Children and Family Law.

### RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.

Motion adopted.

**HOUSE JOURNAL NO. 8**

Wednesday, March 9, 2016

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by the member from Exeter, Representative Alexis Simpson.

Gracious God, we come back together today, rested from recess, and work-weary from preparations for the day. We come into this space grateful for the continued opportunity to serve the people of New Hampshire, yet many are anxious, wondering what the day will hold. Today we entrust the care of our children, our parents, our spouses, our partners to others as we seek to honor the lived experience of 1.3 million people. Today we set aside all other work to improve the communities we call home. Our hearts and our heads are full. With so much on the table, so much seems to be at stake. Prepare our hearts and our minds for the work ahead. Hold us in Your care as we seek wisdom. Grant us perseverance when our day gets long. Offer us moments of grace that we may see each other's deepest humanity in the midst of discord, debate and disagreement. Allow us moments of humor and collegiality when we need them most. May the spirit of respect, light, and love rise up from our midst. Amen.

Representative Leonard Turcotte, member from Barrington, led the Pledge of Allegiance.

The National Anthem was sung by the Coe-Brown Northwood Academy Select Chorus.

**LEAVES OF ABSENCE**

Reps. Bridge, Chris Brown, Comtois, Emerson, Fesh, Kellogg, Manning, Moody, Michael O'Brien, Oxenham, Priestley, Sanders and Scontsas, the day, illness.

Reps. Booras, Hagan, Goulette, Nordgren, O'Hearne, Sherman, Souza, Tamburello, Whitehouse and Woodbury, the day, important business.

**INTRODUCTION OF GUESTS**

Cole and Connor Tollett, students from Fall Mountain Regional High School, Pages for the day.  
Marc and Alyson Therrien, guests of Rep. Leonard Turcotte.

**COMMUNICATION**

March 7, 2016

Speaker Shawn Jasper  
New Hampshire House of Representatives  
New Hampshire State House  
107 North Main Street  
Concord, New Hampshire 03301

Dear Speaker Jasper:

I am writing to resign my seat as Representative from Rockingham County - District 2. I appreciate all your courtesies during the time I have served in the New Hampshire Legislature.

Sincerely,  
Kyle Tasker

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered 146 and 157.

Rep. Hinch, Sen. Prescott for the Committee

**REPORT FROM THE COMMITTEE ON LEGISLATIVE ADMINISTRATION**

On Monday, March 7, the Legislative Administration Committee met to consider the matter of Representative Don Leeman and whether or not he was an inhabitant of the district he was elected to represent, the topic being referred to the committee by the Speaker. Representative Leeman had been living at 14 Partridge Green Way, which is in Ward 3 in the city of Rochester. The district, (Strafford 23), includes Ward 3 (as well as Ward 2). Representative Leeman told the committee the

he had lived there for 9 years, but had moved on December 29 of 2015 and currently resides at 64 Old Farm Lane in Rochester's Ward 6. The committee took testimony from the Speaker, Clerk, and House Legal Counsel. Part 2, Article 14 of the New Hampshire Constitution was reviewed extensively, which includes the language "every member of the house of representatives shall be chosen, by ballot; and, for two years, at least, next preceding his election shall have been an inhabitant of this state; shall be, at the time of his election, an inhabitant of the town, ward, place or district he may be chosen to represent and shall cease to represent such town, ward, place or district immediately on his ceasing to be qualified as aforesaid." The provision twice uses the term "inhabitant" and that is an older term from the 1700s that means, according to Black's Law Dictionary, "one who resides actually and permanently in a given place and has his domicile there." Additionally, according to the book *The New Hampshire State Constitution*, by Lawrence Friedman (2015 edition), "if a member moves out of his or her district, the residency requirement is not met and he or she ceases to be a representative." The committee, as part of this report undertook to answer two questions. 1) Is the member an inhabitant of the district to which he was elected? 2) Is the member qualified to continue to represent the district to which he was elected? The committee agreed, unanimously, that the answer to both questions was no. Representative Leeman can no longer serve as a member of the New Hampshire House because he has constitutionally disqualified himself.

Rep. Dick Hinch for the Committee

Rep. Hinch addressed the House and indicated that Rep. Leeman had in fact returned to his district.

### MOTION TO LAY ON THE TABLE

Rep. Packard moved that the Report of the Committee on Legislative Administration be laid on the table.

Motion adopted.

### MOTION TO AMEND CONSENT CALENDAR

Rep. Hinch moved that the bills printed in House Calendar Addendum 14A, intended and voted by Committee to be on the Consent Calendar, be included in the vote on the Consent Calendar.

Motion adopted.

### CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 1329**, relative to prohibited sales of alcoholic beverages, removed by Rep. Fisher.

**HB 1135**, relative to physical force in defense of a person, removed by Rep. Abramson.

**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders, removed by Rep. Spillane.

**HB 1261**, relative to multiple indictments in criminal prosecutions, removed by Rep. Abramson.

**HB 1311**, relative to solitary confinement, removed by Rep. Hannon.

**HB 1318**, relative to sex offender registration, removed by Rep. Spillane.

**HB 1610-FN**, legalizing the possession and cultivation of marijuana for personal use, removed by Rep. Sylvia.

**HB 1414**, repealing the home education advisory council, removed by Rep. Hoell.

**HB 1497**, relative to the limits on disclosure of information used on college entrance exams, removed by Rep. Ladd.

**HB 1143**, relative to showing a ballot, removed by Rep. Rideout.

**HB 1144-L**, relative to notice for sessions of correction of the check list, removed by Rep. Bates.

**HB 1466**, relative to labeling requirements for certain homestead food operations, removed by Rep. Hannon.

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation, removed by Rep. Moore.

**HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics, removed by Rep. Joe Sweeney.

**HB 1370**, relative to termination of tenancy, removed by Rep. Abramson.

**HB 1126**, limiting the authority of delegates to Article V conventions, removed by Rep. Hoell.

**HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation, removed by Rep. Abramson.

**HB 1359**, relative to the tax credit for service-connected disability, removed by Rep. Estevez.

**HB 1134**, relative to open access to broadband infrastructure, removed by Rep. Abramson.

**HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans, removed by Rep. Abramson.

**HB 1422-FN**, creating an exemption from the business profits tax for new businesses in New Hampshire, removed by Rep. Estevez.

Consent Calendar adopted.

**HB 1118**, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. **OUGHT TO PASS WITH AMENDMENT.** Rep. Frank Edelblut for Children and Family Law. This bill establishes as the starting point in a custody proceeding that it is in the best interest of the child, barring extenuating circumstances such as abuse or neglect, that both parents have continuing substantive involvement in the child's life. A large body of research in this area establishes that shared parenting arrangements result in lower risks of fear, aggression or depression, behavioral problems and risky behaviors. Vote 14-0.

#### **Amendment (0801h)**

Amend RSA 461-A:6, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) In the absence of an agreement between the parties, or a determination of the parental rights and responsibilities for each child under subparagraph (a), the court shall issue an order that provides for continuing contact between each parent and the minor child or children and for the shared parenting responsibilities of child-rearing and encouraging the love, affection, and contact between the minor child or children and the parents regardless of marital status, unless the court makes explicit findings that such contact is not in the best interest of the child. There shall be a rebuttable presumption that shared parenting and shared residential rights and responsibilities are in the best interest of the child or children.

Amend the bill by replacing section 3 with the following:

3 New Paragraph; Parental Rights and Responsibilities; Definition of Shared Parenting. Amend RSA 461-A:1 by inserting after paragraph VII the following new paragraph:

VIII. "Shared parenting" means an arrangement by which:

(a) A child has comparable time with each parent appropriate to (i) the developmental age and status of the child, (ii) the child's routine schedule of school and other activities, (iii) holidays and other child-centered special events, and (iv) the parent's availability to fulfill parenting responsibilities; and

(b) The child's material, developmental, educational, and emotional needs are provided by the parents according to the parents' individual capability.

#### **AMENDED ANALYSIS**

This bill:

I. Provides a list of factors the court may consider in determining parental rights and responsibilities.

II. Establishes a presumption in favor of shared parental rights, including residential responsibility.

III. Permits the court to modify parental rights and responsibilities based on the best interest of the child.

**HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra DeSimone for Children and Family Law. This bill and amendment simply changes the word "incapacitated" to "vulnerable." It was the testimony heard from a multitude of departments and councils that this change would be a less disagreeable term to those who are "vulnerable." Vote 13-0.

#### **Amendment (0670h)**

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-11 to read as 3-12, respectively:

2 Elderly and Adult Services; "Incapacitated" Changed to "Vulnerable." Amend the introductory paragraph of RSA 161-F:46 to read as follows:

Any person, including, but not limited to, physicians, other health care professionals, social workers, clergy, and law enforcement officials, suspecting or believing in good faith that any adult who is or who is suspected to be ~~incapacitated~~ **vulnerable** has been subjected to abuse, neglect, self-neglect, or exploitation or is living in hazardous conditions shall report or cause a report to be made as follows:



Amend RSA 161-F:49, I(a) as inserted by section 3 of the bill by replacing it with the following:

(a) "Individual" means an individual, 18 years of age or older, ~~[found eligible for or receiving services pursuant to RSA 171-A, RSA 135-C:13, RSA 135-C:14, RSA 161-E, RSA 161-I, or programs licensed under RSA 151:2, I(b), (c), or (f), or]~~ who is ~~[an incapacitated]~~ **a vulnerable** adult, as defined under RSA 161-F:43, VII.

**HB 1237**, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children. **OUGHT TO PASS.**

Rep. Jeffrey Oligny for Children and Family Law. Despite many attempts by the court to help resolve family conflict over many years, the committee still hears many complaints about high conflict in family court. The majority believe enough evidence exists to support the bill and potential enhanced default systems which may better serve New Hampshire families. Vote 10-2.

**HB 1279**, relative to grounds for termination of parental rights. **OUGHT TO PASS.**

Rep. Skip Berrien for Children and Family Law. This bill terminates the parental rights of a parent convicted of murder or manslaughter of the other parent or the child's sibling when the child was born after the parent's conviction. Vote 11-0.

**HB 1105**, establishing a committee to study third party mortgage processors. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. In the process of analyzing recent fraud and Ponzi schemes, such as the Financial Resources Mortgage (FRM) debacle, questions have been raised about whether the state is appropriately regulating third party mortgagers. Focused effort is needed to understand this issue better. This study is designed to accomplish this goal. Vote 17-2.

**HB 1111**, relative to securities advisory councils and committees. **INEXPEDIENT TO LEGISLATE.**

Rep. Harold French for Commerce and Consumer Affairs. After deliberations, the committee determined, that creating an entire new state entity under the Secretary of State was not the best nor most effective way to handle complaints of possible fraud in the sale of securities. Vote 19-0.

**HB 1150**, relative to the penalty for failure to deliver goods under the Uniform Commercial Code. **INEXPEDIENT TO LEGISLATE.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. This bill is an attempt to add a new section to RSA 382-A:1-311, creating a penalty of negligence with liability for damages equal to triple the value of the contract as defined in the Uniform Commercial Code (UCC), if there is failure to deliver any part of the property included in a contract to any purchaser. The committee feels that there are many remedies available in law that address a breach of contract relative to goods purchased and the UCC is not the appropriate place to add this provision since the Consumer Protection Act already has triple damages. Vote 20-0.

**HB 1152**, relative to the definition of specialty beer. **OUGHT TO PASS.**

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill, as introduced, raises the allowable alcohol by volume content in specialty beers from 12 to 21%. The committee felt that this was a good bill and people should be able to buy the same specialty beers in NH that they can acquire in other states. This bill also bypasses the previous requirement for approval of the Liquor Commission for beers with content over 12%, which should save the state time and money. Vote 20-0.

**HB 1160-FN**, relative to licensing spas and salons to serve alcoholic beverages. **INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca McBeath for Commerce and Consumer Affairs. This bill establishes a license for spas and salons to serve alcoholic beverages. The committee was concerned about who should be included in the bill since many businesses, not just spas, might give away free alcohol to their customers. Defining and ultimately enforcing this license seems to be problematic so the committee decided to not pass this bill. Vote 17-0.

**HB 1169**, prohibiting bank fees for on-line accounts. **INEXPEDIENT TO LEGISLATE.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. This bill is an attempt to prohibit in-state banks from charging fees for an accessible on-line account. This bill is not necessary, as most banks that provide on-line banking do not charge any transaction fees. Vote 20-0.

**HB 1194**, relative to medical benefits under motor vehicle insurance. **INEXPEDIENT TO LEGISLATE.** Rep. Edward Butler for Commerce and Consumer Affairs. The intent of this bill was to clarify the process for billing for ambulance services. However, this legislature looked at this issue a few years ago and made the necessary changes. The Insurance Department provided the necessary information and assistance to the constituent. Therefore this bill is not needed. Vote 19-0.

**HB 1195**, relative to prepayment contracts for petroleum products. **OUGHT TO PASS.** Rep. John Hunt for Commerce and Consumer Affairs. Under a recently adopted law, oil and propane companies are barred from soliciting pre-pay contracts for the next heating season until after May of that year. Given that some municipalities and school districts can't wait until May, this bill removes this restriction and permits fuel companies to sign contracts, as long as the initial contact is from the customer and not the fuel dealer. Vote 18-1.

**HB 1206**, relative to limited credits. **REFER FOR INTERIM STUDY.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill updates RSA 179:13, by requiring wine manufacturers as well as wholesale distributors, brewpubs, nano breweries, beverage vendors and beverage manufacturers to report to the Liquor Commission when a payment to them from another licensee is delinquent. The Liquor Commission then informs all holders of these licenses of the delinquent licensees, thereby restricting any delivery of beverages to these licensees until payments are made. These payments must also be reported to the Liquor Commission, who will again inform all. The Liquor Commission states that this information aids them in identifying those licensees who may be under financial stress. Because of the complex nature of RSA 179:13, and to ensure all licensees, manufacturers, distributors and retailers are considered for equal treatment, as well as the timely nature of all reporting, the committee agreed unanimously to refer this bill for Interim Study. Vote 19-0.

**HB 1211**, relative to requirements for certain alcoholic beverage licenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill, as amended, allows former felons who have served their time for crimes committed, to access employment opportunities at restaurants and other liquor serving establishments without the approval of the Liquor Commission. Under current law, everyone from the bartender, to the doorman, to the dishwasher must seek approval from the Liquor Commission if they have a previous felony on their record. The majority of the committee felt that this requirement was not only unnecessary but also counter to state policy of promoting access to gainful employment for all Granite Staters. Vote 19-1.

#### **Amendment (0638h)**

Amend the bill by replacing all after the enacting clause with the following:

1 License Qualifications. Amend RSA 178:3, VII(b) to read as follows:

(b) The applicant and any person listed pursuant to subparagraph V(b) are at least 21 years of age and *the applicant is* of sufficiently good character to leave no substantial doubt that the proposed business shall be operated in strict accordance with all applicable state and federal alcoholic beverage control laws and rules.

2 Repeal. The following are repealed:

I. RSA 178:3, VII(e), relative character of managers.

II. RSA 179:23, V-VI, relative to approval of employees convicted of felonies.

3 Effective Date. This act shall take effect January 1, 2017.

#### **AMENDED ANALYSIS**

This bill eliminates restrictions on being employed by a liquor licensee based on felony convictions and character.

**HB 1264**, relative to carnival or amusement ride inspections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Harold French for Commerce and Consumer Affairs. The majority of the committee felt that this legislation brings uniformity to inspection forms to be used in the amusement ride industry. This uniformity will make it easier for operators to remain in compliance with filing such forms with the state as required. In addition, this bill increases the insurance coverage amounts to a level more in line with today's requirements. Vote 19-1.

**Amendment (0640h)**

Amend RSA 321-A:2-a, I(a)(4) as inserted by section 3 of the bill by replacing it with the following:

(4) By the operator, daily on days of operation and prior to operation, using an inspection form developed by the ~~[director, which form]~~ **manufacturer, or if no such form exists, one approved by the director. Completed inspection forms** shall be kept by the owner of the ride for a period of 2 years **and shall be made available and open to inspection and copies shall be furnished to the commissioner or his or her agents upon request.**

Amend RSA 321-A:2-a, I(b)(2) as inserted by section 4 of the bill by replacing it with the following:

(2) ~~[By an agent of the commissioner not less than 90 days and not more than 120 days after the inspection required by subparagraph (1):~~

(3) By the operator on each day of operation, prior to operation, using the inspection form developed by the **manufacturer, or if no such form exists, one approved by the director.** ~~[director. The form shall be forwarded to the director on a weekly basis, or upon relocation of the ride, whichever occurs first.]~~ **The completed inspection forms shall be retained by the owner of the ride for a period of 2 years and shall be made available and open to inspection and copies shall be furnished to the commissioner or his or her agents upon request.**

Amend RSA 321-A:5, III(a) as inserted by section 6 of the bill by replacing it with the following:

(a) A certificate of insurance showing the operator as a named insured and confirming that insurance has been issued and is in force providing coverage for specified equipment or devices in a minimum amount of ~~[\$300,000 per person]~~ **\$1,000,000 per occurrence** and ~~[\$1,000,000]~~ **\$2,000,000** aggregate. **Such certificate shall include the provision that coverage shall remain in effect until the expiration date or if canceled by the insurer prior to the expiration date for any reason, the cancellation shall not take effect until 20 days after written notice received by the director that said certificate is being canceled and the reason or reasons for such cancellation.**

Amend RSA 321-A:5, IV(a) as inserted by section 7 of the bill by replacing it with the following:

(a) A certificate of insurance showing the operator as a named insured and confirming that insurance has been issued and is in force providing coverage for specified equipment or devices at specified locations, in a minimum amount of ~~[\$100,000 per person]~~ **\$1,000,000 per occurrence** and ~~[\$300,000]~~ **\$2,000,000** aggregate. **Such certificate shall include the provision that coverage shall remain in effect until the expiration date or if canceled by the insurer prior to the expiration date for any reason, the cancellation shall not take effect until 20 days after written notice received by the director that said certificate is being canceled and the reason or reasons for such cancellation.**

**AMENDED ANALYSIS**

This bill requires carnival or amusement ride operators to make inspection forms available to the commissioner of the department of safety.

This bill also makes changes to the required insurance coverage for carnival or amusement ride operators.

**HB 1307**, relative to the procedure for amendment of condominium instruments. **OUGHT TO PASS.** Rep. Kermit Williams for Commerce and Consumer Affairs. When a condominium community votes to change its bylaws or other legal instruments, they are sometimes required to request approval from the mortgage holders for individual units in the development. When the mortgage holder was the bank downtown, this process was easy, but today mortgages are bought and sold on a daily basis and mortgage holders are often huge financial firms who have little interest in the affairs of a New Hampshire condominium association. This bill gives the mortgage holder a reasonable 60 days to respond to the request, after which the request is deemed approved. Vote 18-2.

**HB 1316**, relative to hospital rates for self-pay patients. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. Under current law, self-pay patients at a hospital can get the same discounts as someone who has health insurance. This bill clarifies who is self-pay - which means a patient seeking care at a hospital who does not have any form of insurance, including, but not limited to, health insurance, Med Pay coverage, or any other liability coverage. Vote 20-0.

**HB 1403**, relative to reinsurance. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. In 2013, the New Hampshire Insurance Department (NHID) modernized the standards governing credit for reinsurance by adoption of

the National Association of Insurance Commissioners (NAIC) credit for reinsurance model law. Adoption of this model law is an NAIC accreditation standard. When the NAIC model law was adopted in 2013, NHID inadvertently deleted the section regarding required insolvency clause standards for reinsurance contracts (previously RSA 405:49). These standards had been in place since 2004. This legislation simply returns those same insolvency clause standards back into law. Vote 17-2.

**HB 1409**, relative to life, accident, and health insurance. **OUGHT TO PASS WITH AMENDMENT.** Rep. John Hunt for Commerce and Consumer Affairs. At the request of the Insurance Department, this bill makes technical corrections to the life, accident and health insurance statutes, including repealing redundant statutes. Vote 18-1.

#### **Amendment (0437h)**

Amend the bill by deleting section 2 and renumbering the original sections 3-9 to read as 2-8, respectively:

Amend the bill by replacing section 8 with the following:

8 Effective Date.

I. Sections 4-6 of this act shall take effect upon its passage.

II. Section 7 of this act shall take effect 30 days after its passage.

III. The remainder of this act shall take effect January 1, 2017.

#### **AMENDED ANALYSIS**

This bill makes various changes in the laws relating to life, accident, and health insurance.

**HB 1410**, relative to motor vehicle coverage. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. At the request of the Insurance Department, this bill makes technical corrections to the auto insurance statutes, such as corrections to statutory references. The amendment addresses who is included under coverage for a vehicle not owned by the insured by clarifying that coverage includes certain relatives who reside in the same household. Vote 19-0.

#### **Amendment (0629h)**

Amend RSA 259:61, II as inserted by section 1 of the bill by replacing it with the following:

II. Which further provides indemnity for or protection to the named insured, ~~[and to the spouse of such named insured as insured if a]~~ ***any relative of the named insured by marriage, blood, or adoption who is a resident of the same household, or [the private chauffeur or] any domestic servant acting within the scope of the employment of any such named or resident insured [with respect to the presence of any such insured in any other motor vehicle,]*** from liability as a result of accidents which occur ~~[in New Hampshire]~~ ***within the limits of the United States of America, its territories or possessions, and the Dominion of Canada*** due to the ~~[driving]~~ ***operation*** of any motor vehicle, trailer, or semi-trailer not owned in whole or in part by such insured; provided, however, the insurance afforded under this paragraph applies only if no other valid and collectible insurance is available to the insured.

**HB 1437**, relative to health insurance fraud and abuse reporting. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph Hannon for Commerce and Consumer Affairs. The bill requires health insurance carriers to establish a fraud and abuse detection system and to investigate any health insurance claim or series of claims for services that are suspected to be the result of health care provider billing fraud and abuse. Under this bill, the health insurance carrier shall report suspected fraud or abuse to the fraud investigation unit. Fraud and abuse programs have been, and are currently being developed by insurance companies. It is in the best interests of the companies to do this in ways that are best for them and their customers. Vote 18-0.

**HB 1450**, relative to risk-based capital for insurers. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill simply changes the calculation of risk-based capital within annual life and/or health insurance reports from a 2.5 multiplier to 3. This is now the national standard with which all states comply. Vote 17-1.

**HB 1459**, relative to commercial coverage. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill is a request of the Insurance Department and makes certain changes to the laws governing property and casualty insurance. Changes include

revising the definition of 'large commercial policyholder.' These policyholders are exempt from some insurance regulations. The bill also extends the time frame for approval of an extra 30 days for policies that are in the nonconforming market. Vote 18-0.

**Amendment (0674h)**

Amend RSA 412:15, IV(b) and (c) as inserted by section 2 of the bill by replacing them with the following:

*(b) No greater than plus or minus 40 percent of the insurer's base rates.*

**AMENDED ANALYSIS**

This bill makes certain changes to the laws governing property and casualty insurance.

**HB 1473**, relative to small loans. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. When the Banking Department presented a bill last year to recodify the small loan statute, they neglected to point out two small changes to the law that were included in the legislation. In order to ensure that the legislature was aware of these changes, the department requested this bill to repeal the provisions this year. The committee felt that the changes were acceptable and provide some additional protection to small loan borrowers, and voted unanimously to recommend the bill be found Inexpedient to Legislate. Vote 18-0.

**HB 1491**, relative to trust fund interest. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would mandate that any interest earned through a deposit into a trust fund would be returned to the depositor. Notwithstanding the difficulty for the many NH businesses who take deposits and the difficulty they would have in calculating the interest earned, the committee learned that there are trust funds, like the IOLTA (Interest on Lawyer Trust Accounts), in which the interest earned is not returned to the depositor but rather is used to provide legal services for those unable to afford them otherwise. The committee determined that services provided through such a program are valuable to our communities and therefore voted this bill Inexpedient to Legislate. Vote 18-0.

**HB 1516-FN**, relative to balance billing. **REFER FOR INTERIM STUDY.**

Rep. David Luneau for Commerce and Consumer Affairs. An insured patient who obtains medical services from an in-network provider, such as a hospital, may end up having services performed by a doctor who is not a member of the insurance carrier's network. Under current law, there is nothing to prevent these doctors from billing the patient for the difference between their normal charge and the amount the doctor was paid by the patient's insurance carrier. Balance billing, as it is known, often can follow an emergency procedure, but it can happen following any medical procedure. The committee recognizes as a problem that patients should not be billed for procedures that otherwise would be covered by their insurance and seeks to work with health care providers and insurance carriers to find a solution. Vote 18-0.

**HB 1579**, relative to regulation of the practice of out-of-state brokers by the real estate commission. **OUGHT TO PASS.**

Rep. Harold French for Commerce and Consumer Affairs. After careful consideration of this legislation, the committee recommended that the House adopt it. This bill assists real estate brokers licensed in NH by codifying what is the practical and existing practice in the sale and leasing of commercial real estate. It clears up, within existing statute, certain ambiguities that have been a hindrance to the industry in the past. Vote 17-0.

**HB 1601**, relative to certain continuing care communities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard Abel for Commerce and Consumer Affairs. This bill directs that the Commissioner of Insurance shall not prescribe by rule or otherwise require submission of an actuarial report from any facility which does not offer a contract in which all or part of the risk of uncertain future health care costs is borne by the facility and not the resident. The amendment clarifies the language in the original bill. Vote 17-0.

**Amendment (0008h)**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Certain Continuing Care Communities. Amend RSA 420-D:7 by inserting after paragraph III the following new paragraph:

IV. Notwithstanding paragraph II, the commissioner shall not prescribe by rule or otherwise require submission of an actuarial report from any facility which does not offer a contract in which all or part of the risk of uncertain future health care costs is borne by the facility and not the resident.

### AMENDED ANALYSIS

This bill declares that any continuing care community which charges an entrance fee but which does not assume risk of uncertain future health care costs shall not be required to submit actuarial studies to the insurance department.

**HB 1617**, relative to funding for housing projects by the New Hampshire housing finance authority. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill requires that the NH Housing Authority conduct a market study prior to authorizing a proposed housing development. It was reinforced for the committee that such studies are always done for proposed new developments. In the specific situation that engendered this bill, a total of 4 studies were done in an effort to answer questions raised by interested parties. Therefore, the committee believes that this bill is not needed. Vote 15-1.

**HB 1618**, relative to debt adjustment services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill recodifies and modernizes existing laws regulating debt adjustment services by modifying the definition of debt adjustment to match industry models and by restructuring the statute to match other statutes enforced by the NH Banking Department. The committee amendment restores an exemption that is in current law. Vote 17-0.

### Amendment (0811h)

Amend RSA 399-D:1, IX(f) as inserted by section 1 of the bill by replacing it with the following:

(f) Any person that serves as an intermediary between a debtor and one or more creditors of the debtor for the purpose of obtaining concessions.

(1) An intermediary includes but is not limited to any person that:

(A) Engages in the business of mortgage loan loss mitigation; and

(B) Is not subject to RSA 397-A or RSA 397-B.

(2) An intermediary does not include any person specifically exempted pursuant to RSA 397-A:4 or RSA 397-B:10.

Amend the bill by replacing section 2 with the following:

2 Exemptions; Debt Adjustment Services. Amend RSA 479-B:11, I(g) through (h) to read as follows:

(g) A nonprofit organization or government entity that offers counseling or advice to homeowners in foreclosure or loan default, if the organization is not directly or indirectly related to and does not contract for services with for-profit lenders, foreclosure consultants, or pre-foreclosure purchasers; [or]

(h) A creditors' committee or trustee participating in a place of reorganization or repayment through a proceeding under the jurisdiction of the United States Bankruptcy Court[-] *or*

(i) *A person licensed to engage in the business of debt adjustment under RSA 399-D.*

**HB 1700-FN**, relative to abuse-deterrent opioid drug products. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill requires insurers to include in their formulary an abuse-deterrent alternative for each opiate on the formulary, where one is available. Considering that the committee has endorsed HB 1608 the Prior Authorization form legislation and the fact that health plans have some of these already on their formularies, the committee accepted the sponsor's recommendation that the legislation was no longer necessary. Vote 17-0.

**HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections. **OUGHT TO PASS.**

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. This bill requires an audit of the sex offender treatment program in the Department of Corrections. Testimony revealed that the sex offender treatment program has both laudable results as well as areas of concern. All the testimony was in favor of this bill, from the Department of Corrections to former inmates. The audit will be conducted by the Audit Division of the Legislative Budget Assistant's office, which will submit its findings within 9 months of the bill's effective date. Vote 11-0.

**HB 1235**, relative to stalking. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. This bill redefines “course of conduct” in the stalking statute. This bill seeks to amend RSA 633:3-a, which reads in part: “nor shall it include conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person.” The committee understood this language was added to law many years ago so a person that had a “legitimate” reason to be at a place - a local grocery, gas station, children’s school - would not be charged for stalking if another person had an issue and wanted to file a stalking charge. The committee heard a lot of testimony from the one woman that wanted this bill and the committee felt if the woman was afraid of her ex-spouse that she could have filed a domestic violence charge. Vote 17-0.

**HB 1266**, legalizing firecrackers and smoke bombs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill as amended legalizes the sale of firecrackers. The statute which prohibits the retail sale of firecrackers (RSA 160-B:16-b) was last revisited in 2004. Since that time the size and quantity of gunpowder contained therein has been reduced. Based upon the documented testimony provided, the committee determined that the explosive power of mortar firecrackers does not present the level of danger they once did. Vote 9-3.

**Amendment (0412h)**

Amend the title of the bill by replacing it with the following:

AN ACT legalizing firecrackers.

Amend the bill by replacing sections 2-3 with the following:

2 Repeal. RSA 160-B:16-b, relative to the prohibition on the retail sale of firecrackers, is repealed.

3 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill legalizes the sale of firecrackers.

**HB 1287**, repealing a provision of the harassment statute. **OUGHT TO PASS.**

Rep. John Burt for Criminal Justice and Public Safety. This bill repeals a section of the harassment statute, RSA 644:4 l(f), that was struck down as unconstitutional by the New Hampshire Supreme Court in the case of *State v. Pierce*, 152 N.H. 790 (2005). The Supreme Court struck the law down on free speech grounds, holding that it violated Part I, Article 15 of the New Hampshire Constitution. Vote 17-0.

**HB 1305**, relative to the use of an ignition interlock device after a license suspension. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill was discussed at length by the committee regarding the benefits to the safety of New Hampshire drivers. The bill as amended provides that a person requesting a restricted license shall have an enhanced technology interlock device installed for a period of one year, thus providing the ability of the driver to work and support the family while modifying the driver’s behavior involving drinking and driving. Vote 12-1.

**Amendment (0346h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the use of an ignition interlock device.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Limited Driving Privilege; Ignition Interlock Program. Amend RSA 263:57-b by inserting after paragraph V the following new paragraph:

VI. As a condition of receiving a limited privilege license, the person shall agree to be subject to the ignition interlock program for one year immediately following restoration of driving privileges.

2 New Subparagraph; Use of Mobile Electronic Devices While Driving. Amend RSA 265:79-c, II by inserting after subparagraph (c) the following new subparagraph:

(d) To perform any action required by an ignition interlock device.

3 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill requires a person receiving a limited privilege license to be subject to the ignition interlock program for one year after restoration of driving privileges. This bill also establishes an exemption from the prohibition on the use of mobile electronic devices while driving for actions required by an ignition interlock device.

**HB 1327**, relative to the statute of limitations for continuing violations of trespass. **INEXPEDIENT TO LEGISLATE.**

Rep. David Welch for Criminal Justice and Public Safety. This bill excepts continuing violations of trespass from the 3-year statute of limitations for personal actions. No one spoke in favor of the bill, so the committee voted to dispense with the bill accordingly. Vote 13-1.

**HB 1343**, prohibiting the retroactive application of the sex offender registry. **INEXPEDIENT TO LEGISLATE.**

Rep. John Martin for Criminal Justice and Public Safety. Although this bill was very brief, it garnered a lot of testimony, both for and against. Much of the testimony centered on *Doe v. State of NH* which was decided by the New Hampshire Supreme Court on February 12, 2015. This decision weighed the punitive nature of the sex offender registry versus its regulatory nature. While the decision partially upheld and partially struck down a lower court decision, the court did not expressly forbid the retroactive use of the sex offender registry, as it was originally held to be regulatory in nature and not ex post facto punishment. Many of the problems argued arise from subsequent changes to RSA 651-B. As written, this bill does not meet any need relative to correcting any ex post facto issues. Other testimony, from the Department of Safety and from domestic violence groups also opposed this bill, and the Department of Safety advised this bill has the potential of removing 900 offenders from the registry without any further review. Additionally, other bills may deal with the issues raised in *Doe*, but this one does not. Vote 11-5.

**HB 1344**, prohibiting the sale or possession of sky lanterns. **INEXPEDIENT TO LEGISLATE.**

Rep. David Welch for Criminal Justice and Public Safety. Sky lanterns are devices sold in many retail outlets that are powered by heat from a combustible source. The bag-shaped lantern rises as the heat builds up within the bag and when the heat source is extinguished the bag floats down. There is no flame when the combustible material is consumed. The state fire marshal has ruled these sky lanterns as “recreational fire” and suggests that they be tethered by a string so that they are attended. The committee saw no need to prohibit their sale or possession. Vote 12-0.

**HB 1353**, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill amends the statute that provides that a uniformed law enforcement officer during a routine stop must notify the party of the fact that he or she is being recorded. The added language states it must be done “where it is reasonable or practicable under the circumstances.” This is because there are times when it may not be reasonable, such as when the party is intoxicated or under duress or when the situation makes notification difficult or impossible, such as during a confrontation or an accident. The amendment changes the effective date to upon passage. Vote 14-0.

#### **Amendment (0415h)**

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

**HB 1369**, requiring judges to grant earned time credits when a prisoner has substantially reduced the threat he or she poses to the public. **INEXPEDIENT TO LEGISLATE.**

Rep. John Martin for Criminal Justice and Public Safety. This bill requires the sentencing court to grant a prisoner’s petition for earned time credits whenever the prisoner has substantially reduced, through self-improvement efforts, the threat he or she poses to the public. This legislation mixes the person’s behavior with these efforts and that is not the intent. The bill also does not define any methodology or risk assessment procedure to determine whether the prisoner no longer poses a threat to the public. In addition, we have not had enough time under the existing law to determine any correlation between granting earned time credit with reduction in recidivism, including the possibility of reduction of threat or risk. This bill also requires judges to grant petitions for earned time credits from prisoners. The use of the word “shall” removes the discretion from the judge. It sets a bad precedent for a judge’s decisions to be dictated by the legislature and is a blurring of the principle of separation of powers. Vote 16-1.

**HB 1381-FN**, legalizing the sale of smoke bombs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill as introduced would have repealed the prohibition on the sale or use of smoke bombs. If that had happened military canisters of smoke



would have been allowed. The amendment amends the statute which allows small smoke devices sold as permissible fireworks and limits the sale to those 21 and older. The devices have been illegally sold in other retail outlets but now are only available from licensed fireworks dealers. Vote 12-1.

### Amendment (0416h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the sale of smoke bombs.

Amend the bill by replacing all after the enacting clause with the following:

1 Smoke Bombs. Amend RSA 644:16-b, II to read as follows:

II. With the exception of persons or groups, including law enforcement organizations, who use smoke bombs for training purposes or to protect property or lives, *and with the exception of smoke bombs sold or offered for sale by a person licensed to sell permissible fireworks pursuant to RSA 160-C*, any person who sells, barter, lends, or gives to any person a smoke bomb and any person who uses a smoke bomb in a public place shall be guilty of a violation.

2 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill creates an exception for the sale or use of smoke bombs by a person licensed to sell permissible fireworks.

### HB 1415, relative to escape from official custody. OUGHT TO PASS.

Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill clarifies current law so that if a person escapes from official custody, confinement pursuant to a court order, from a jail, prison, house of correction or juvenile custody they are guilty of a class B felony. This bill corrects a prior omission from the statute from several years ago where those persons released from a correctional institution pursuant to administrative home confinement or any treatment program or other place as directed by the commissioner or sentencing court were inadvertently left out of the statute. Vote 13-0.

### HB 1426-FN, relative to earned time credits for prisoners participating in rehabilitative or educational programming. OUGHT TO PASS WITH AMENDMENT.

Rep. David Welch for Criminal Justice and Public Safety. This bill expands a program initiated in 2014 which allows prisoners who earn degrees to be granted time off their minimum and maximum sentences. The bill adds master's degree and doctorate degree to the list of programs. The Department of Corrections agrees with the amended bill. The costs for these programs are borne by the prisoner or the prisoner's family and participation is determined by the prisoner's behavior. Vote 17-0.

### Amendment (0681h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to earned time credits for prisoners participating in educational programming.

Amend RSA 651-A:22-a as inserted by section 1 of the bill by replacing it with the following:  
651-A:22-a Earned Time Credits.

I. The commissioner, after reviewing a prisoner's record, shall award to a prisoner or recommend that the prisoner receive a one-time reduction in his or her minimum and maximum sentences for successful completion of each of the following programs while incarcerated:

(a) Education Programs:

(1) [GED] *High School Equivalency Certificate* 90 day reduction in the prisoner's minimum sentence and 90 day reduction in the prisoner's maximum sentence.

(2) High School Diploma 120 day reduction in the prisoner's minimum sentence and 120 day reduction in the prisoner's maximum sentence.

(3) Associate's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.

(4) Bachelor's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.

(5) *Master's Degree* 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.

(6) *Doctorate Degree* 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.

(b) Vocational Programming. A prisoner who successfully completes a vocational program that is authorized and approved by the department or who successfully completes a vocational program that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a reduction of ~~[up to]~~ 60 days in his or her minimum sentence and a reduction of ~~[up to]~~ 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.

(c) Mental Health Programming. A prisoner who meaningfully participates in recommended or mandated mental health and/or substance use treatment that is authorized and approved by the department or that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.

(d) Participation in Family Connections Center Programming. A prisoner who is a parent and who meaningfully participates in the programming offered by the Family Connections Center that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.

II. The earned time reductions authorized in paragraph I of this section shall be available to prisoners who were incarcerated on or after the effective date of this section and who have been granted this option by the presiding justice at the time of sentencing. The earned time reductions authorized in paragraph I of this section shall be available to prisoners who were incarcerated prior to the effective date of this section upon recommendation of the commissioner and upon approval of the sentencing court in response to a petition which is timely brought by the prisoner.

III. The earned time reductions authorized in paragraph I of this section shall only be earned and available to prisoners while in the least restrictive security classifications of general population and minimum security. The earned time may be forfeited for involvement or membership in a security threat group, attempted escape, escape, or commission of any category A offense listed in the department of corrections policy and procedure directives.

IV. The earned time reductions granted under this section shall not exceed ~~[+3]~~ 21 months off the prisoner's minimum sentence and ~~[+3]~~ 21 months off the prisoner's maximum sentence.

**HB 1492**, regarding individual privacy when law enforcement agencies use body-worn cameras. **INEXPEDIENT TO LEGISLATE.**

Rep. David Welch for Criminal Justice and Public Safety. The subject matter contained in this bill is already covered in a previous bill which has passed the House (HB 617). The sponsor requested that the committee find this bill Inexpedient to Legislate. Vote 11-0.

**HB 1506**, establishing a committee to study the use of solitary confinement in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. The bill is unnecessary, as it does not address issues or conditions in New Hampshire. The anecdotal evidence presented in testimony to the committee referred to practices in other states. Solitary confinement is not a condition of confinement used by the NH Department of Corrections (DOC) or the various counties, as was presented in extensive testimony by the Assistant Commissioner of the Department of Corrections, Helen Hanks. It appears that prior to the introduction of this legislation not enough research was done or attempts made to reach out to DOC or the counties to review facilities or processes. Additionally, the committee felt there is insufficient time for a study committee. Vote 11-0.

**HB 1507**, amending the procedures for the use of solitary confinement and establishing a committee to study the use and effectiveness of solitary confinement in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. John Martin for Criminal Justice and Public Safety. This bill is unnecessary, as it does not address issues or conditions that arise in New Hampshire. Solitary confinement, as repeatedly described, is not a condition of confinement used in the New Hampshire Department of Corrections (DOC) or the various counties. The anecdotal evidence presented in testimony to the committee referred to practices in other states. The Laaman consent decree, DOC policy and procedures, and standards from the American Correctional Association all address conditions of confinement. Further,

prior to the introduction of the legislation, none of the sponsors had researched or reached out to the DOC or counties to review facilities or processes. One of the prison housing units mentioned in the bill did not even have the segregated space targeted by the bill. Enactment of this bill would be a solution searching for a problem and would squander precious time and resources. If there is a question relative to the county jails, the county delegations are able to arrange tours and inspect every area behind the walls. The DOC has been forthcoming with information and accessibility. The committee has had opportunities to tour the Men's Prison in Concord and meet with inmates unsupervised. Every area and housing unit was available for inspection and no areas exist that fit the description in the proposed legislation. The facility in Berlin has made it a practice, since it opened, to return problematic inmates to Concord, and they are not equipped with an area to totally segregate an inmate. Vote 9-2.

**HB 1525-FN, relative to the circumstances that constitute indecent exposure and lewdness. INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. This bill expands the indecent exposure law to include the anus (regardless of gender) as well as the nipple and areola (only if female). The committee heard testimony from many who warned that, due to likely acts of civil disobedience, the state would face expensive court fees should this become law. The NH Civil Liberties Union testified that violation of such a law could be considered protected political speech, indicating that the state would be unsuccessful in litigation. The committee sees no sense in passing a law that cannot be enforced. The committee also believes that this bill violates Part I, Article 2 of the State Constitution, which states "Equality of rights under the law shall not be denied or abridged on account of race, creed, color, sex or national origin." This bill attempts to apply a law to women only. This bill would also place police officers in the uncomfortable position of having to determine the gender of a potential offender. Lastly, an offender (if convicted) would be listed in the state's sex offender registry after a second conviction, which many considered to be an excessive punishment. In a state with an average temperature of only 46 degrees, the risk of rampant nudity seems rather low. The committee considers this legislation Inexpedient to Legislate for these reasons. Vote 19-0.

**HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter. URGENT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill as amended will provide that all first responders, not just police, cannot be impersonated without penalty of law. First responders are granted access to emergency scenes or critical infrastructure not granted to untrained and unauthorized persons. Individuals with malicious intent target these roles for impersonation because of the unrestricted access they may obtain. This puts the private citizens at a great risk in many various ways. The committee, with a near unanimous vote, is seeking to plug up this loophole in our laws. Vote 16-1.

**Amendment (0603h)**

Amend the bill by replacing section 1 with the following:

1 Penalty; Impersonation of a Firefighter. Amend RSA 154:9 to read as follows:  
154:9 Penalty.

*I. If any person present at a fire, emergency or service call, at or to which the fire department is responding shall refuse or neglect to obey the commands of any member who is recognized as, or should have been recognized as, a member of the fire department, or shall unlawfully assume the office or badge of office of a fire chief, fire officer or firefighter, such person shall be guilty of a violation.*

*II. Any person who knowingly and falsely assumes or exercises the functions, powers, duties, or privileges incident to the position of firefighter of any city, town, or private fire department, or any other firefighter or fire investigator employed by any state, county, or political subdivision of a state or county, or who wears or displays without authority any uniform, badge, or other identification by which such firefighter or investigator is lawfully identified, and with the intent to be recognized as such, shall be guilty of a class B felony. This paragraph shall not apply to a retired firefighter who wears apparel with his or her former station's insignia upon it.*

Amend RSA 153-A:21-a as inserted by section 2 of the bill by replacing it with the following:

153-A:21-a Emergency Medical Technicians and Paramedics; False Personation. Any person who knowingly and falsely assumes or exercises the functions, powers, duties, or privileges incident to the position of emergency medical technician or paramedic of any city, town, or private entity, or any emergency medical technician or paramedic employed by any state, county, or political subdivision of a state or county, or who wears or displays without authority any uniform, badge, or other identification by which such emergency medical technician or paramedic is lawfully identified, and with the intent to be recognized as such, shall be guilty of a class B felony.

**HB 1597-FN**, relative to preservation of biological material in a criminal investigation for DNA testing. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill as introduced would require an investigating agency to preserve any biological material obtained in connection with a criminal or delinquency investigation or prosecution for five years from the date of conviction or adjudication, or as long as any person connected with that case or investigation remains in custody, whichever is longer. The testimony of the state police's criminal lab was that modern techniques in DNA testing do not require maintaining all biological material collected to have an accurate chain of evidence. Additional time costs of preserving all biological material collected would be astronomical. Vote 15-0.

**HB 1598-FN**, relative to the penalty for driving while intoxicated, third or subsequent offense. **INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill would require the indefinite revocation of the driver's license of any person convicted of a third driving while intoxicated offense. There was no testimony in favor of the bill and two witnesses testified against the bill. Additionally, the Department of Safety took no position. The committee believes that changes to current law are unnecessary. Vote 13-0.

**HB 1603-FN**, requiring the registration of drug dealers. **INEXPEDIENT TO LEGISLATE.**

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. The committee was presented with compelling testimony that such a registry will do nothing to alleviate NH's drug crisis but will add additional administrative duties to state and local law enforcement. Further, given the Drug Task Force's work, it is increasingly clear that we need to treat the issue of drug addiction as a public health issue and NOT as a criminal justice issue. Law enforcement already has records of those convicted of drug trafficking. Vote 15-0.

**HB 1606-FN**, relative to unlawful sale or possession of alcoholic beverages. **INEXPEDIENT TO LEGISLATE.**

Rep. John Martin for Criminal Justice and Public Safety. This bill would have allowed the consumption of beer and wine by 18 to 20 year olds while under the supervision of a "responsible" adult over the age of 21. While its stated intent is to facilitate the introduction of alcohol to 18 to 20 year olds in a responsible, supervised manner, it does nothing of the kind. There is no way to quantify what a "responsible" adult is, let alone a 21 year old. There was very little support for this bill. The scenario of 18 to 20 year olds drinking beer and wine under the supervision of a 21 year old would be a fair description of a fraternity party or an underage home drinking party. This bill would only serve to encourage underage drinking and essentially legalize irresponsible behavior. Vote 9-2.

**HB 1613-FN**, relative to criminal prosecution for those charged with prostitution. **INEXPEDIENT TO LEGISLATE.**

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. This bill attempts to adjust criminal penalties for clients of prostitution, while ignoring the other party to the activity. This one-sided approach is not an appropriate way to address any changes in NH prostitution laws. Vote 15-1.

**HB 1628-FN**, relative to human trafficking involving persons under 18 years of age. **OUGHT TO PASS.**

Rep. David Welch for Criminal Justice and Public Safety. This bill makes it a crime for a person to pay to engage in sexual contact with a person under the age of 18. It also makes it illegal to observe a sexually explicit performance involving a person under the age of 18. The committee unanimously supported passage of the bill. Vote 12-0.

**HB 1654-FN**, relative to flying drones near correctional facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Martin for Criminal Justice and Public Safety. This bill, as amended, prohibits, with certain exceptions, the flying of a drone over or close to the environs of a jail or prison under penalty of a class A misdemeanor. This bill was at the request of the Department of Corrections after several intrusions by drones over department facilities. Such intrusions could facilitate an avenue for the introduction of contraband and this bill becomes another tool in assuring security. It also allows for the proper authorities to operate a drone over the facility for security purposes or authorize the operation by other parties under certain conditions. Vote 11-2.

**Amendment (0390h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to flying a drone above a correctional facility.

Amend the bill by replacing section 1 with the following:

1 New Section; Breaches of the Peace; Flying a Drone Above a Correctional Facility. Amend RSA 644 by inserting after section 21 the following new section:

644:22 Flying a Drone Above a Correctional Facility.

I. Except as otherwise provided in this section, no person shall fly a drone in the airspace above a state or county correctional facility or municipal jail. Any person who violates this section shall be guilty of a class A misdemeanor.

II.(a) State, county, or municipal correctional authorities may fly a drone above a correctional facility over which they have control for security purposes.

(b) State, county, or municipal correctional authorities may authorize a request by a person to fly a drone above a correctional facility over which they have control, provided the person:

(1) Requests permission from the appropriate correctional authority;

(2) Is authorized by the Federal Aviation Administration to operate a drone for commercial purposes; and

(3) Operates the drone in a manner that complies with the authorization.

III. In this section:

(a) "Airspace" means the space above the ground on which a state or county correctional facility or municipal jail is sited.

(b) "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:

(1) Does not carry a human operator;

(2) Uses aerodynamic forces to provide vehicle lift;

(3) Can fly autonomously or be piloted remotely; and

(4) May be expendable or recoverable.

(c) "Person" means an individual, corporation, organization, and for-profit or not-for-profit entities.

**AMENDED ANALYSIS**

This bill prohibits, with certain exceptions, a person from flying a drone above a state or county correctional facility or a municipal jail.

**HB 1692-FN**, revising the procedures relating to parole violation and parole revocation. **INEXPEDIENT TO LEGISLATE.**

Rep. John Martin for Criminal Justice and Public Safety. This bill would have lengthened the term of incarceration for a parole violation from 90 days to 2 years, and eliminated provisions for bail for a parole violator arrested pursuant to this bill. Testimony was largely opposed to this bill, as it would have contributed greatly to crowding conditions in the State Prison and limited options for the Adult Parole Board in dealing with offenders. There can be many mitigating circumstances in a parole violation that cannot be dealt with by a "one size fits all" solution, and decisions of this nature are best left to the parole department and the Adult Parole Board. Vote 16-0.

**HB 1121**, relative to the academic areas that comprise the statewide assessment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. The annual statewide assessment is currently administered to students in grades 3-8 and grade 11 in the academic areas of reading and language arts, mathematics and science. The statewide assessment program also requires the state to assess history, geography,

civics and economics; however, these academic areas have never been tested by the state either in the old NECAP or the current Smarter Balanced systems. This bill directs statutory responsibility for assessment of history, geography, civics and economics to the local level. It is the recommendation of the education committee, although equally important, that assessment in these critical areas of study is best provided and should appropriately remain within the purview of the local school board. Vote 16-1.

#### **Amendment (0554h)**

Amend RSA 193-C:5 as inserted by section 1 of the bill by replacing it with the following:

193-C:5 Areas of Assessment. The *statewide* academic areas to be assessed shall include~~[-but not be limited to:]~~ reading and language arts, mathematics, *and* science~~[-history, geography, civics, and economics]~~. *History, geography, civics, and economics remain critical areas of study. Therefore, assessment of these subjects remains within the purview of the local school board.* The statewide assessment program shall only measure student understanding of key content-specific concepts, skills, and knowledge applied within or across academic content domains.

#### **HB 1137, relative to the adoption of school administrative unit budgets. INEXPEDIENT TO LEGISLATE.**

Rep. Terry Wolf for Education. This bill amends the alternative budget procedure in a school administrative unit and requires that the warrant article for the school administrative unit budget state the cost per pupil per fiscal year under the proposed budget. School districts currently are able to state the cost per pupil per year in a budget proposal. This bill is not necessary. Vote 20-0.

#### **HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3. OUGHT TO PASS.**

Rep. Ralph Boehm for Education. This bill establishes a committee to look into why students in K through 3 are being suspended from school. Last year there were 101 kindergarten students suspended. A total of 523 students in K through 3. We need to find out why. Is it because of a school's zero tolerance policies? We even heard of a kindergarten student suspended for sexual harassment – for tickling another student. School policies on this matter need attention. Vote 20-0.

#### **HB 1201, relative to withdrawal from a cooperative school district. INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. Breakup of, or withdrawal from a cooperative school district presents challenging financial and educational issues. The intent of this bill will be addressed in an amended version of HB 1303. HB 1303 has been amended to a study commission and will address multiple aspects of withdrawal from a cooperative school district. Vote 20-0.

#### **HB 1205, including libraries that provide children's programming in the definition of drug-free school zone. INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Shaw for Education. This bill includes libraries with children's programming in the definition of "drug-free school zones." The committee believes this bill is not necessary because the language of existing law allows for the designation of drug-free zones through policy established by local government and law enforcement agencies. Vote 18-0.

#### **HB 1239, relative to certain terminology in the education statutes. OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill as amended cleans up statutory language in regard to difficult to understand terminology in RSA 186:8, 193-C, and 193-E. Amending language states that it is the responsibility of the local level to identify and implement skills and knowledge included in curriculum. Academic standards mean what a student should know and be able to do at each grade level. Curriculum means the lessons and academic content taught in school or in a specific course or program. Past statutes have unclearly referenced educational and curriculum standards. This bill uses common terminology throughout statute when referencing standards, and the terms used are "academic standard" or "minimum standards." All other references to "standards" have been removed with all references to curriculum assigned to schools or school districts. Vote 19-0.

#### **Amendment (0581h)**

Amend the bill by replacing all after the enacting clause with the following:

1 State Board of Education; Rulemaking Authority. Amend RSA 186:8 to read as follows:

186:8 Rulemaking Authority; Standards; Employee Qualifications. The state board of education shall adopt rules, pursuant to RSA 541-A, relative to:

**I. *Academic standards for all grades of the public schools.***

**II. Minimum ~~[curriculum and educational]~~ *standards for public school approval* [standards] for all grades of the public schools.**

**[H:] III. Qualifications and duties for school superintendents, principals, school administrative unit professionals and other public school employees.**

**[HH:] IV. Certification standards for educational personnel, including those listed in RSA 21-N:9, II(s), provided that the commissioner of the department of education may, through an agreement with another state when such state and New Hampshire are parties to an interstate agreement, provide for recertification based on another state's procedures if the other state's professional development plan is approved by the New Hampshire department of education.**

**[IV:] V. Establishing requirements for teachers and teacher preparation programs to ensure that all teachers are prepared to teach to a broad range of students' needs, including, but not limited to, the needs of exceptional learners.**

**[V:] VI. Certification standards for advanced teaching credentials, including administering the master teacher credential as provided in RSA 189:14-f.**

**[VI:] VII. Appeals from a school board on the matter of nonrenewal of teacher contracts, providing that the appeal to the state board of education shall be limited to the record developed at the school board hearing, except where the state board of education determines that new evidence is available which could not have been reasonably discovered at the time of the school board hearing and that such evidence may have materially affected the outcome of the school board hearing. In such cases, the state board of education shall render a final decision in the matter or remand it to the school board for a new hearing.**

**[VII:] VIII. Requiring a high school pupil to attain competency in mathematics for each year in which he or she is in high school through graduation to ensure career and college readiness. A pupil may meet this requirement either by satisfactorily completing a minimum of 4 courses in mathematics or by satisfactorily completing a minimum of 3 mathematics courses and one non-mathematics content area course in which mathematics knowledge and skills are embedded and applied, as may be approved by the school board. The rules shall be implemented in the 2015-16 school year.**

2 Duties of the State Board of Education. Amend RSA 186:11, IX(a) to read as follows:

(a) Direct the department to develop ~~[curriculum frameworks]~~ ***academic standards to serve as a guide and reference*** in health, physiology, and hygiene as they relate to the effects of alcohol and other drugs, child abuse, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system, and which are designed to help students lead longer, healthier lives.

3 Statewide Education and Improvement and Assessment Program; Statement of Purpose. Amend RSA 193-C:1, II-III to read as follows:

II. A statewide education improvement and assessment program built upon the establishment of ~~[educational]~~ ***academic*** standards specifying what students should know and be able to do is an important element in educational improvement. Such a program also serves as an effective measure of accountability ***and student performance*** when the assessment exercises or tasks are valid and appropriate representations of the ~~[curriculum standards]~~ ***knowledge and skills*** that students are expected to achieve.

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of ~~[educational]~~ ***academic*** standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and implement methods to enable students to acquire and apply the requisite knowledge and skills.

4 Statewide Education Improvement and Assessment Program; Program Established. Amend RSA 193-C:3, III(a)-(b) to read as follows:

(a) ~~[Educational]~~ ***Academic*** standards specifying what students should know and be able to do shall be clearly defined before assessment procedures and exercises are developed.

(b) The assessment exercises or tasks shall be valid and appropriate representations of the *academic* standards the students are expected to achieve.

5 Statewide Education Improvement and Assessment Program; Program Established. Amend RSA 193-C:3, IV(a) to read as follows:

(a) At the student level, by students, parents, and teachers, to determine what the student knows and is able to do in relationship to the state-established *academic* standards.

6 Adequate Public Education; Policy and Purpose. Amend RSA 193-E:1 to read as follows:  
193-E:1 Policy and Purpose.

I. It is the policy of the state of New Hampshire that public elementary and secondary education shall provide all students with the opportunity to acquire the knowledge and skills necessary to prepare them for successful participation in the social, economic, scientific, technological, and political systems of a free government, now and in the years to come; an education that is consistent with the ~~[curriculum]~~ *minimum standards for public school approval, the state-established academic standards* ~~[and student proficiency standards specified in state school approval rules and New Hampshire], and school district or school curriculum [frameworks].~~

II. Respecting New Hampshire's long tradition of community involvement, it is the purpose of this chapter to ensure that appropriate means are established to provide an adequate education through an integrated system of shared responsibility between state and local government. In this system, the state establishes~~[-through]~~ *minimum standards for public school approval*, ~~[and student proficiency standards]~~ and ~~[curriculum guidelines;]~~ *academic standards* ~~[the framework]~~ for ~~[the]~~ *inclusion and* delivery of educational services at the local level. School districts then have *responsibility and* flexibility in implementing diverse educational approaches *to instruction and curriculum* tailored to meet student needs.

7 Adequate Public Education; Substantive Educational Content of an Adequate Education. Amend RSA 193-E:2-a, IV-VI to read as follows:

IV. The *minimum standards for public school approval* ~~[standards]~~ for the areas identified in paragraph I shall constitute the opportunity for the delivery of an adequate education. The general court shall periodically, but not less frequently than every 10 years, review, revise, and update, as necessary, the *minimum* standards identified in paragraph I and shall ensure that the high quality of the *minimum standards for public school approval in each area of education identified in paragraph I* is maintained. Changes made by the board of education to the school approval standards through rulemaking after the effective date of this section shall not be included within the standards that constitute the opportunity for the delivery of an adequate education without prior adoption by the general court. The board of education shall provide written notice to the speaker of the house of representatives, the president of the senate, and the chairs of the house and senate education committees of any changes to the school approval standards adopted pursuant to RSA 541-A.

V. The general court requires the state board of education and the department of education to institute procedures for maintaining, updating, improving, and refining ~~[curriculum frameworks]~~ *the minimum standards for public school approval* for each area of education identified in paragraph I. *Each school district shall be responsible for maintaining, updating, improving, and refining curriculum.* The curriculum ~~[frameworks]~~ shall present educational goals, broad pedagogical approaches and strategies for assisting students in the development of the skills, competencies, and knowledge called for by the ~~[academic]~~ *minimum standards for public school approval* for each area of education identified in paragraph I. ~~[The curriculum frameworks shall serve as a guide and reference to what New Hampshire students should know and be able to do in each area of education. The frameworks do not establish a statewide curriculum.]~~ It is the responsibility of local teachers, administrators, and school boards to identify and implement approaches best suited for the students in their communities to acquire the skills and knowledge included in the ~~[frameworks]~~ *curriculum*, to determine the scope, organization, and sequence of course offerings, and to choose the methods of instruction, the activities, and the materials to be used.

VI. In this section~~[-];~~

(a) ~~["School approval standards"]~~ *"Minimum standards for public school approval"* mean the applicable criteria that public schools and public academies shall meet in order to be an approved school, as adopted by the state board of education through administrative rules.

(b) *"Academic standards"* mean what a student should know and be able to do at each grade level.



*(c) "Curriculum" means the lessons and academic content taught in school or in a specific course or program.*

8 Adequate Public Education; Accountability. Amend RSA 193-E:3-c, III(a) to read as follows:

(a) Performance on state [tests] **assessments** administered pursuant to RSA 193-C and, upon the prior approval of the department, other assessments administered at local option that are consistent with the state's [curriculum] **academic** standards.

9 Adequate Public Education; Performance-Based Accountability System. Amend RSA 193-E:3-c, VI to read as follows:

VI. The department shall annually prepare a detailed report documenting the results of each school on the performance-based school accountability system to be developed pursuant to RSA 193-E:3-c, and identifying all schools that can demonstrate the opportunity for an adequate education through the performance-based methodology. The report shall be submitted no later than [October +] **January 15 annually** to the same individuals receiving the final report under paragraph IV. [~~The initial report shall be due October 1, 2012.~~]

10 Effective Date. This act shall take effect 60 days after its passage.

**HB 1240**, relative to alternatives to the statewide assessment. **INEXPEDIENT TO LEGISLATE.** Rep. James Grenier for Education. The intent of this bill is to reduce the number of times a statewide assessment would be administered in grades 3-8 at NH public schools. Additionally, the bill allows a locally developed assessment for those years when a statewide assessment is not required. While there is broad consensus that statewide assessment should not be administered in each of grades 3-8 the uncertainty of the impact of new federal legislation, Every Student Succeeds Act, (ESSA) precludes the possibility of pursuing the intent of this bill. Vote 17-0.

**HB 1283**, relative to school notification of a change in placement. **OUGHT TO PASS.** Rep. Rick Ladd for Education. This bill requires the New Hampshire Department of Health and Human Services or any other state department to notify a school as soon as possible when initiating or placing a child in an out-of-home placement that results in attendance at another school. Transitions such as this should be accomplished in accordance with a developed transition plan that reduces emotional and mental impact to the child. Vote 18-0.

**HB 1303**, relative to withdrawal from a cooperative school district. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christopher Adams for Education. There are over 50 cooperative districts comprised of almost 250 individual towns in New Hampshire. Each cooperative district has a unique set of "Articles of Agreement" that describe the conditions and circumstances under which they will operate their cooperative. These agreements were entered into under the statute applicable at the time of the agreements. Changes to current statutes without full consideration to the multitude of complex circumstances would be injudicious at this time. Therefore, the committee has agreed to form a comprehensive commission to help recommend potential legislation. Vote 20-0.

#### **Amendment (0683h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Commission to Study Issues Relating to Pre-existing Districts Withdrawing from a Cooperative School District. Amend RSA 195 by inserting after section 31 the following new subdivision:

#### **Commission to Study Issues**

**Relating to Pre-existing Districts Withdrawing from a Cooperative School District.**

195:32 Commission Established.

I. There is established a commission to study issues related to pre-existing districts withdrawing from a cooperative school district. The membership of the commission shall be as follows:

(a) Three members from the house of representatives, 2 of whom shall serve on the education committee, and one of whom shall serve on the finance committee, appointed by the speaker of the house of representatives.

(b) One member from the senate education committee, appointed by the senate president.

- (c) The commissioner of the department of education, or designee.
- (d) The commissioner of the department of revenue administration, or designee.
- (e) Two school board members from cooperative school districts, appointed by the governor.
- (f) Two superintendents from cooperative school districts, appointed by the governor.
- (g) One member from the New Hampshire School Administrators Association, appointed by that association.

(h) One member from the New Hampshire School Boards Association, appointed by that association.

(i) One member from the New Hampshire Council of School Attorneys, appointed by that association.

(j) One member from the public, appointed by the governor.

II. The commission shall study issues relating to the withdrawal of pre-existing districts from their cooperative school district, including:

(a) The procedure for withdrawal, including the procedure for both initiating a withdrawal study and the procedure for approval of any proposed withdrawal plan.

(b) How assets are determined, valued, and apportioned among the pre-existing districts.

(c) The nature and scope of the withdrawal plan created according to RSA 195:26, including the liability of the withdrawing pre-existing district pursuant to RSA 195:27 and the disposition of any property pursuant to RSA 195:28.

(d) Any other issue which the commission deems relevant to the objective of the study.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The department of education and house committee research staff shall provide clerical, administrative, and research services to the commission as may be needed.

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

VI. The commission shall file an interim report on or before January 1, 2017, and shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2017.

2 Repeal. RSA 195:32, relative to the commission to study issues relating to pre-existing districts withdrawing from a cooperative school district, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 2, 2017.

II. The remainder of this act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill establishes a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

**HB 1323**, relative to nonrenewal of a teacher's contract. **INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. This bill would amend RSA 189:14-a (Failure to be Renominated or Reelected) to eliminate the condition that a person "have taught one or more years in the same school district." This change was contrary to the "intent" of the bill, "to require justification for not renominating a non-tenured teacher." The actual "intent" of the bill was addressed. After such testimony, there was not sufficient evidence to justify a change of existing statute. Vote 19-0.

**HB 1364**, relative to the membership of the cooperative school district budget committee. **INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. A study commission for withdrawal from a cooperative school district has been established in a related amended bill. The membership of the cooperative school district budget committee will be addressed by that commission. Vote 20-0.

**HB 1366**, relative to the definition of educational competencies. **INEXPEDIENT TO LEGISLATE.**

Rep. James Verschuere for Education. The bill proposes to limit student assessment, whether standard assessment or competency-based assessment, to a single content domain. As written, the

bill is internally inconsistent as it includes "science" as a single domain which it clearly is not. In addition, the bill proposes to further limit assessment by removing assessment of a student's ability to apply key concepts across academic content domains. Testimony before the committee characterized the changes as fundamentally changing competency-based education and removing local control by restricting what a school board may wish to assess. The committee found no positive purpose to support this bill. Vote 18-1.

**HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. Last year HB 507 (Chapter 71, Laws of 2015) regarding teacher protections and privacy was passed and signed. A portion of the bill dealt with recordings in the classroom and it had unintended consequences. This bill clarifies that special needs students may use recording devices, if needed, and that recording for instructional purpose is also acceptable. As amended, it also allows recording of student teachers after notification to classroom parents. Vote 20-0.

**Amendment (0459h)**

Amend RSA 189:68, V as inserted by section 1 of the bill by inserting after subparagraph (b) the following new subparagraph:

*(c) Nothing in this section shall preclude the use of audio or video recordings for use in the instruction of teacher interns or student teachers after written notification to the parent or legal guardian of each affected student as to the purpose of, and privacy policy for, the recordings.*

**HB 1379**, amending the requirement to use English in schools. **INEXPEDIENT TO LEGISLATE.**  
Rep. James Grenier for Education. This bill would allow a private school to educate a student exclusive of English. A student might then transfer to a public school with no knowledge of English and would then be a financial burden to the public school district. Vote 19-1.

**HB 1408-FN**, relative to a school building inventory. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. This bill requires the New Hampshire Department of Education (DOE) to conduct a statewide school building inventory to gather basic data and information on the condition of public school buildings. In July 2000, the DOE released the Turner Report related to the condition and adequacy of school facilities. Although the survey had limitations, it did contain useful information covering the condition of 391 school buildings throughout NH. In an effort to obtain needed data to better understand our current situation, this bill enables the department to acquire data and information that includes, but is not limited to: demographic shifts, structural condition, fire and life safety code compliance, building operational costs, HVAC systems, suitability of instructional space and equipment to prepare students for later careers and more. The survey will cost no money as information can be gathered and assessed using online technology and staff in place at the department and schools. Vote 19-1.

**HB 1411**, making civics mandatory in public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Christopher Adams for Education. This bill provides that a half-year course in civics shall be required for high school graduation. It was determined by the committee that this bill, while laudable in intention, was duplicative of current statute and Ed 306 rules and therefore unnecessary. Vote 19-1.

**HB 1431**, relative to academic freedom and whistleblower protection. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education. It is the committee's position and that of the Community College System and the University System that this bill is not needed because: 1) NH Law already has a whistleblower protection act, 2) academic freedom is protected in the constitution, and 3) those protections are reflected in contracts. Vote 18-2.

**HB 1456**, relative to chartered public school boards. **INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for Education. This bill requires the members of a chartered public school board of trustees to be appointed by the Governor with the advice and consent of the council. Appointment and membership of charter school boards of trustees is already referenced in existing law. Charter schools have unique mission statements that are reflected in the make-up of their boards. Present law is working and should not be changed to a more complicated process. Vote 17-0.

**HB 1457**, establishing a code of professional ethics for New Hampshire teachers. **REFER FOR INTERIM STUDY.**

Rep. Robert Elliott for Education. This bill establishes a code of professional ethical standards and practices for teachers. The committee feels very strongly that we need a code of ethics for all NH teachers. Regardless, 16 members felt there are some issues in this legislation that need further clarification, especially in the area of new technology and electronics. Smart phones, computers, which are personal electronic devices, have raised new social, political and religious issues which need careful consideration. Interim Study provides the committee members the opportunity to review and identify professional responsibilities for the teaching profession as it relates to communities, students, parents, the profession and public. Vote 19-1.

**HB 1458**, relative to social media policies for educational institutions. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for Education. This bill amends legislation passed into law last year, HB 142, (Chapter 270, Laws of 2015) Educational Institution Policies in Social Media. The bill makes reference to Home Education, but this section of law based upon HB 142 was not intended to affect Home Education students. Current law provides all the protection necessary for students and the NH School Board Association developed needed policies for the law. Vote 18-0.

**HB 1558-FN**, requiring the university system of New Hampshire to examine the disposition of children in state custody. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for Education. This bill requires the University System of New Hampshire (USNH) to conduct a child welfare study, the objective of which shall be to analyze the disposition of children in state custody. This is not the job of USNH. The Executive Branch of government is responsible for overseeing its own agencies. This kind of study will only cause financial distress on the already burdened University System. Also, the time limit placed in the bill is not reasonable for any such study. If a study is needed, it needs to be done by the Governor's office and not the University System. Vote 20-0.

**HB 1114**, relative to the number of inspectors of election. **OUGHT TO PASS.**

Rep. James Gray for Election Law. This bill would limit the number of inspectors of election appointed by the political parties to 2 per party at each polling place regardless of the number of voters. Statute provides that the moderator may appoint additional workers. Vote 17-0.

**HB 1183**, relative to election result recounts. **INEXPEDIENT TO LEGISLATE.**

Rep. Adam Schroadter for Election Law. This bill seeks to improve the recount process for close elections by requiring that all candidates involved in the election and present agree to end the recount. However, the committee became concerned about unintended consequences and costs associated with high-number candidate elections such as state representative elections for large districts. Vote 17-0.

**HB 1220**, relative to disqualification of election officers. **OUGHT TO PASS.**

Rep. James Gray for Election Law. This bill would clarify the statute which states election officials whose names are on the ballot for another position may perform their duties within the restrictions specified. Vote 17-0.

**HB 1223**, relative to changes of address on election day. **OUGHT TO PASS.**

Rep. James Gray for Election Law. This bill clarifies the wording of RSA 659:13 I (a) with regard to a change of address identified to the ballot clerks on election day. It requires that a change of address be recorded rather than corrected. Vote 19-0.

**HB 1265**, permitting municipalities to adopt a system of approval voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. This bill significantly changes our current electoral process by permitting towns to change to a method called approval voting for a primary election. Approval voting would allow voters to vote for multiple candidates for one office instead of only one candidate. If this is allowed, some towns would then be using different voting methods which would cause significant confusion. This would greatly change our method of electing candidates and the committee saw no pressing reason to allow municipalities to make this change. Vote 18-0.

**HB 1377**, relative to receipt of absentee ballots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kathleen Souza for Election Law. This bill facilitates the delivery of absentee ballots to the polls by adding "ward clerk" to those officials able to accept them. It also provides that absentee ballots delivered by a voter's spouse, parent, sibling, or child must be received by the town, city, or ward clerk by 5:00 p.m. on election day. Vote 18-0.

**Amendment (0247h)**

Amend the bill by replacing section 1 with the following:

1 Absentee Voting; Procedure by Voter. Amend RSA 657:17 to read as follows:

657:17 Procedure by Voter. After marking the ballot, the voter or the person assisting a blind voter shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit. The voter or the person assisting the blind voter shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter shall then endorse on the outer envelope his or her name, address, and voting place and shall mail the envelope, affixing postage, or personally deliver it or have it delivered by the voter's spouse, parent, sibling, or child to the city or town clerk from whom it was sent. The city or town clerk, *or ward clerk on election day at the polls*, shall not accept an absentee ballot from a family member unless the family member completes a form provided by the secretary of state, which shall be maintained by the city or town clerk, and the family member presents a government-issued photo identification or has his or her identity verified by the city or town clerk. *Absentee ballots delivered through the mail or by the voter's spouse, parent, sibling, or child shall be received by the town, city, or ward clerk no later than 5:00 p.m. on the day of the election.*

**HB 1378**, relative to disabled voters requiring assistance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Gray for Election Law. Absentee ballots are currently used prior to election day to assist voters who cannot access the polling place due to a physical disability. This bill codifies the absentee ballot process to be used on election day for voters who are physically unable to access the polling place. The committee unanimously recommends approval. Vote 17-0.

**Amendment (0496h)**

Amend RSA 659:20-a as inserted by section 1 of the bill by replacing it with the following:

659:20-a Assistance in Voting; Disabled Voter. Any voter who declares to the moderator under oath that said voter is unable to access a polling place due to physical disability, after appearing at the polling place location to vote in person shall, upon the voter's request, have an absentee ballot delivered to the voter outside the guardrail by the town or ward clerk or one of his or her assistants. The absentee ballot delivered by the town or ward clerk shall be delivered and processed using the same procedures as any other absentee ballot except that the voter shall be treated on the marked checklist as having voted in person.

**HB 1387**, relative to vacancies in county offices. **INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for Election Law. The committee believes that vacancies in county offices should not be filled by a secret ballot at the county convention. Since the county delegation represents the citizens, the voters have a right to know how their representatives vote. Vote 15-0.

**HB 1467**, relative to notice of village district elections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Griffin for Election Law. This bill provides minimum time periods for village districts to notify the supervisors of the checklist when they are having elections. There are a number of village districts in the state and this will eliminate local issues regarding adequacy of notice. Vote 19-0.

**Amendment (0043h)**

Amend RSA 670:5 as inserted by section 1 of the bill by replacing it with the following:

670:5 Warrant. Village district elections shall be warned by the commissioners in the same manner as town elections are warned by the selectmen as provided in RSA 669:2 and RSA 39. *The commissioners shall give the supervisors of the checklist 60 days notice of any village district election.*

**AMENDED ANALYSIS**

This bill requires commissioners to give notice of village district elections to supervisors of the checklist.

**HB 1503**, relative to distributing campaign materials at the polling place. **OUGHT TO PASS.**

Rep. Duane Brown for Election Law. This bill helps to clarify, for the moderator and the general public, items that are deemed as electioneering and may not be distributed or posted within the building where an election is being held. It also prohibits any person from distributing such materials. Vote 15-2.

**HB 1511-FN-L**, relative to hours of polling. **INEXPEDIENT TO LEGISLATE.**

Rep. William Gannon for Election Law. The majority opposed this bill, as it is a 'one size fits all' approach. The needs of a small northern town differ greatly from the needs of a city. Forcing a town to stay open beyond their needs would be wrong. This bill would be more palatable if it had permissive language such as "may." This way a municipality could opt in or out to earlier or later hours as best fits the individual city or town needs. Vote 17-0.

**HB 1515**, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Gray for Election Law. The bill, with the amendment, requires anyone who distributes absentee ballot applications to voters to identify who is responsible for distributing the applications. Vote 15-0.

#### **Amendment (0721h)**

Amend RSA 657:4, II(a) as inserted by section 1 of the bill by replacing it with the following:

II.(a) Any person, *other than the city or town clerk or the secretary of state*, that publishes, mails, or distributes in any manner any written communication that contains a form or post card which a reasonable person would consider as intended to be used by the recipient of the communication to submit a request for an absentee ballot shall *identify who is publishing, mailing, or distributing the communication*, and attach a copy of the form prepared by the secretary of state pursuant to paragraph I of this section to the communication or include in the communication a complete facsimile of the form prepared by the secretary of state pursuant to paragraph I of this section.

**HB 1521**, allowing voters to vote for multiple candidates for an office. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. This bill significantly changes our current electoral process to the method of approval voting. Approval voting would allow voters to vote for multiple candidates for one office instead of only one. This would greatly change our method of electing candidates and the committee saw no pressing reason to make this change. Vote 18-0.

**HB 1534**, relative to reports of death of voters. **OUGHT TO PASS.**

Rep. Robert Luther for Election Law. This bill provides that deaths recorded in the statewide voter registration database can be the basis for the Town or City Clerk to notify the Supervisors of the Checklist of the change in a voter's status. Vote 17-0.

**HB 1539-FN**, relative to procedures for resolving ties in legislative races. **INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for Election Law. This bill establishes a process for run-off elections in the event of a tie in a state legislative race. The committee believes that existing state law should not be changed. Vote 17-0.

**HB 1624-FN**, relative to electioneering by public employees. **OUGHT TO PASS.**

Rep. Barbara Griffin for Election Law. This bill modifies the applicability of the prohibition on electioneering by public employees by clarifying that the prohibition applies to equipment. Currently, the statute prohibits the use of government property which raises issues as to areas of public access such as the grounds of the State House or the lobby room of a public building. Vote 16-1.

**HB 1642-FN-L**, relative to persons executing election affidavits. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for Election Law. This bill, as proposed, addressed the verification of the identity of individuals who sign an election affidavit in the process of registering to vote on Election Day and do not provide photo identification. The committee understood that the state is currently responsible for verification after the election, and they do not have enough resources to do so. This bill required that the individual would be responsible for verifying his or her qualifications to vote within ten days after registering. Concerns were raised regarding the notice and process for the individual as provided in the bill as presented. Vote 14-3.

**HB 1646**, relative to the disclosure of felony convictions by individuals seeking an elected office. **INEXPEDIENT TO LEGISLATE.**

Rep. Adam Schroader for Election Law. This bill introduced new language to the Declaration of Candidacy form in reaction to a well-publicized concern regarding felons and elections in Nashua. However, the form already requires candidates who have previously been convicted of a felony to declare that their sentence has been completed as required by RSA 607-A:2. The committee did not feel that the Declaration of Candidacy form was the correct place to address additional qualifications for candidacy. Vote 16-0.

**HB 1679-FN**, relative to electioneering by a public official. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for Election Law. The bill, as presented, was an attempt to prevent elected or constitutional officials from using government property or funding for electioneering. While the committee discussed that the intent of the proponents to ensure appropriate conduct was a legitimate issue, the bill, as worded, was inconsistent with wording in similar statutes. Further, concern was expressed that the determination of what conduct was covered would be subjective. Vote 17-0.

**HB 1682-FN**, relative to electioneering by public servants and relative to warrant articles. **INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for Election Law. The committee believes that the current law addressing electioneering by public employees does not need to be expanded. It further believes that the current laws relative to recommendations for special warrant articles provide useful information and should be retained. Vote 17-0.

**HB 1141**, defining "agritourism." **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen Darrow for Environment and Agriculture. This bill is in response to a NH Supreme Court decision that said that agritourism is not part of the definition of agriculture in NH law. That decision has far-reaching implications for our farmers statewide. Agritourism is necessary to keep our farms viable by attracting customers to the farm to buy their products. It includes things like pick-your-own, hayrides, farm stays, and farm to plate meals. This bill with amendment puts the definition of agritourism into the definition of agriculture in RSA 21:34-a, II, thereby addressing the concerns of the court. Vote 17-0.

**Amendment (0269h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Farm, Agriculture, Farming; Marketing. Amend RSA 21:34-a, II(b)(5) to read as follows:

(5) The marketing or selling at wholesale or retail[~~-, on-site and off-site, where permitted by local regulations,~~] of any products from the farm *on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including but not limited to: eating meals, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.*

2 Repeal. RSA 21:34-a, VI, relative to the definition of agritourism, is repealed.

3 Effective Date. This act shall take effect 60 days after its passage.

**HB 1171**, relative to appeals heard by the waste management council. **OUGHT TO PASS.**

Rep. John O'Connor for Environment and Agriculture. This bill makes corrections to which council hears appeals of decisions of the Department of Environmental Services regarding oil discharges to surface and ground waters and from underground storage facilities. RSA 146-A and 146-C are amended to direct such appeals to the Waste Management Council instead of the Water Council, or the Water Supply and Pollution Control Council which no longer exists. Vote 18-0.

**HB 1354**, establishing a committee to study livestock and meat inspection. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. This bill establishes a study committee to review RSA 427, Livestock and Meat Inspection. Parts of this chapter are inactive; other parts are unclearly written or outdated. The committee will review the chapter, consult stakeholders, remove unnecessary statutes, and rewrite others as needed in clear, concise language. The amendment reduces the number of senators to one. Vote 16-0.

**Amendment (0547h)**

Amend the bill by replacing section 2 with the following:

**2 Membership and Compensation.**

**I. The members of the committee shall be as follows:**

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

**II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.**

Amend the bill by replacing section 4 with the following:

**4 Chairperson; Quorum.** The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

**HB 1355**, relative to poultry producers exempted from meat inspection requirements. **OUGHT TO PASS.** Rep. Peter Bixby for Environment and Agriculture. This bill raises the limit for on-farm poultry slaughter for sale to restaurants from the 1,000 birds in the existing statute to the federal limit of 20,000 birds. Farmers who slaughter under this exemption must first take a safe-slaughter workshop, and the slaughter facilities are subject to inspection by the United States Department of Agriculture (USDA), Food Safety Inspection Service. Vote 15-0.

**HB 1398**, establishing a commission to study septic sludge spreading. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Environment and Agriculture. This bill would establish a commission to study septic sludge spreading. The testimony, both oral and written, was overwhelmingly opposed to another study commission. The Department of Environmental Services is opposed to the bill and told us there were comprehensive studies done in 2003 and 2007. There is a great deal of awareness among those in the industry of what is contained in the septage and the rules and compliance needs are in place. The tanks are treated to kill pathogens and the liquids are filtered. Our committee did not hear that there was a problem that needed to be studied further at this time. Vote 18-0.

**HB 1514**, relative to the application of nitrogen and phosphorus content fertilizers. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Environment and Agriculture. This bill would exempt the sale of certain fertilizers sold in bulk from limitations of nitrogen and phosphorus content. We worked with the Department of Agriculture, Markets and Food to try to address concerns regarding inappropriate application of fertilizers that are affecting waterways and lakes. The bill is quite specific about the allowances and content and it would be difficult for manufacturers to meet only NH requirements. In addition, it does not appear that there is a lawful way to separate commercial applicators from homeowner consumers in retail sales. Finally, there is no enforcement mechanism to be used by the department. The committee has agreed to continue to work on the problem and address some of the concerns through public education. Vote 16-0.

**HB 1571-FN**, prohibiting the possession, purchase, or sale of equipment used for animal fighting. **INEXPEDIENT TO LEGISLATE.**

Rep. John O'Connor for Environment and Agriculture. The committee overwhelmingly agrees that animal fighting is inhumane. This bill attempts to use various types of paraphernalia found in the possession of a person, even without the evidence of any animal being present, as a basis for finding the person guilty of animal fighting and subject to a class B felony. Many legitimate animal handlers could be subject to this vague interpretation of law. This bill would presume that they are guilty and now are required to prove their innocence with no recourse. Currently, there are sufficient laws in statute to regulate any animal fighting that may occur. There have not been any instances of animal fighting in NH for many years. Vote 20-0.

**HB 1615-FN**, regulating the transfer of dogs from out of state. **REFER FOR INTERIM STUDY.** Rep. Robert Haefner for Environment and Agriculture. This bill licenses and regulates out of state transporters of dogs and cats who deliver pets for transfer into New Hampshire from out of state. Some of these transfers are under the radar such that the state does not know how many animals are



delivered to New Hampshire, where they go, their health or behavior. Those transfers that are done following the rules are known, whereas others are not, such as dogs sold in parking lots in our state. We are hearing of health and behavioral problems that may not be reported. While the committee believes we need to get a better handle on out of state transporters as some of neighboring states have done, we do not think the bill is ready for passage. We also have a problem with the fiscal note that says a new hire is needed, which the bill does not fund. The committee recommends unanimously that the bill be studied further to better prepare legislation for passage next term. Vote 20-0.

**HB 1128**, proclaiming the second week in September as Patriot Week. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill requires the Governor to declare the second week of September of every year as Patriot Week. The sponsors anticipate that this will encourage appropriate activities to be included in all schools. While the committee recognizes the good intentions of the bill's sponsors, it does not see any significant need for, or benefit from, statutory intervention in this regard. We believe NH schools, students and citizens are already imbued with love for their state and country; and our towns and cities are, and should continue to be, the focal points of citizenship activities. Vote 14-2.

**HB 1142**, relative to employee compensation at certain hospitals. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill sought to limit the compensation of non-profit hospital CEOs to 100 times that of the lowest paid full-time employee. The testimony was about a prior non-profit hospital executive receiving over \$1 million, but that employee is no longer there and this is no longer the case. Concerns were raised by opponents of the bill that included that there were no appropriations for enforcement of the provision and that the definition sections was overly broad and even included "loans to be repaid." During the executive session, the committee felt that the government did not have any business regulating how much non-profits pay their employees. Furthermore, in 2012 the NH Attorney General's office funded a study on this particular issue: "Executive Compensation at New Hampshire's Non-Profit Hospitals." The New Hampshire Center for Public Policy Studies reviewed the New Hampshire's health care system and the finances of the state's hospitals and concluded, "The majority of non-profit hospitals in New Hampshire meet the IRS standards for executive compensation practices. Moreover, New Hampshire CEO compensation levels, on average, are roughly in line with those in other New England states." Vote 13-0.

**HB 1167-FN**, repealing the administrative procedure act. **INEXPEDIENT TO LEGISLATE.**

Rep. John Sytek for Executive Departments and Administration. This bill would repeal the Administrative Procedure Act (RSA 541-A). At present, RSA 541-A specifies the process by which state agencies make rules that follow from and implement legislation. These rules are reviewed by the Joint Legislative Committee on Administrative Rules (JLCAR). JLCAR serves as a check and balance on executive actions, i.e. the agencies. Without RSA 541-A, there would not be guidance, restraint, or oversight on agency rulemaking. The consequence of such a repeal would have a devastating effect on the ability of state agencies to carry out the will of the legislature in rulemaking. Vote 12-0.

**HB 1213-FN**, repealing athletic trainer license requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. This bill would have repealed the licensing for athletic trainers. In order to be licensed, athletic trainers must have a four-year degree with a concentration in athletic training. The committee, with the agreement of the sponsor, determined that licensure should remain in place for these professionals. Vote 14-0.

**HB 1226**, relative to administration of pharmaceutical agents by optometrists. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. Currently optometrists are the only independently practicing licensed health professionals whose regulatory board does not fully control the list of medications they are allowed to prescribe. This bill completes the effort, started a number of years ago, of moving formulary decisions from a Joint Pharmaceutical Formulary and Credentialing Committee to the Board of Optometry. Because the Board of Optometry meets more often, it can make formulary decisions regarding new medications faster than current practice. The medicines that are involved are typically schedule III and schedule IV medications. The ophthalmologists objected to the bill as filed and worked with the optometrists on language upon which both parties agree. Vote 15-0.

**Amendment (0136h)**

Amend the bill by replacing sections 1 and 2 with the following:

1 Optometry; Definition; Pharmaceutical Agent. Amend RSA 327:1, III(j) and (k) to read as follows:

(j) Non-steroidal anti-inflammatory agents approved pursuant to RSA 327:6-a, VI ~~[and included in the formulary]~~.

(k) Anti-glaucoma agents ~~[which are topically applied]~~ provided that an optometrist may dispense or prescribe such agents if the optometrist has met the requirements of RSA 327:6-c.

2 Optometry; Authorization for Pharmaceutical Agents. Amend RSA 327:6-a, IV and V to read as follows:

IV. Nothing in this section shall be construed to permit an optometrist to administer any pharmaceutical product by ~~[intravenous]~~ injection; or to administer, prescribe or dispense any pharmaceutical product designated as a ~~[category]~~ *schedule I or schedule II* controlled substance ~~[defined by the United States Controlled Substances Act of 1970, as amended]~~ *under RSA 318-B:1-a*; or to administer, prescribe or dispense any pharmaceutical product except for the diagnosis or treatment of disease or conditions of the human eye, adnexa or eyelids.

V. Notwithstanding any other provision of law, an optometrist who is certified to use pharmaceutical agents in the practice of optometry shall be permitted to administer diphenhydramine, epinephrine or an equivalent medication *administered by injection* to counter anaphylaxis or anaphylactic reaction.

Amend the bill by inserting after section 5 the following and renumbering the original sections 6 and 7 to read as 7 and 8, respectively:

6 Treatment of Glaucoma; Topical Medical Therapy. Amend RSA 327:6-c, IV(b)(1) to read as follows:

(1) The patient is experiencing documented progression of optic nerve damage or the patient develops documented and repeated progression of visual field loss on maximum tolerated *topical* medical therapy; or

**HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is offered by the leadership of the Joint Legislative Committee on Administrative Rules (JLCAR) to address some procedural glitches in current regulatory language. As such, it is a housekeeping bill for the JLCAR to facilitate better communications between stakeholders and oversight boards. Vote 14-0.

**Amendment (0194h)**

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4, respectively:

3 New Paragraph; Rulemaking; Exceptions; Department of Transportation. Amend RSA 541-A:21 by inserting after paragraph VIII the following new paragraph:

IX. Rules of the department of transportation relating to the state bridge aid program or the state highway aid program adopted under rulemaking authority of the commissioner of the department, shall be exempt from RSA 541-A:12, III and may incorporate by reference the department of transportation's Standard Specifications for Road and Bridge Construction, Highway Design Manual, and Bridge Design Manual without specifying a date or edition for the content incorporated, as provided in RSA 234:5, II and RSA 235:14, II.

**AMENDED ANALYSIS**

This bill allows boards, commissions, and groups which are petitioned to adopt rules under RSA 541-A to have 30 days after the next scheduled meeting to respond to the petition. The bill also allows certain documents prepared by third parties and certain manuals of the department of transportation to be incorporated by reference in administrative rules.

**HB 1246-FN**, relative to speech-language assistants. **OUGHT TO PASS WITH AMENDMENT.** Rep. Andrew Christie for Executive Departments and Administration. This bill was requested by the Board of Speech Language Pathologists and has the full support of both the board and the Department of Education. The bill, with the amendment, exempts individuals employed in public and private schools from licensure if they work under the direction and supervision of a licensed speech-language pathologist or a certified speech-language specialist. Vote 14-0.

**Amendment (0290h)**

Amend RSA 326-F:2, I(c) as inserted by section 1 of the bill by replacing it with the following:

*(c) Individuals employed at a public school or nonpublic school approved by the department of education who do not act independently but work under the direction and supervision of a speech-language pathologist licensed under this chapter or a speech language specialist certified by the department of education.*

**HB 1255**, designating May 19 as a Day of Compassion. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Hansen for Executive Departments and Administration. This bill would amend state law to require the Governor to proclaim May 19 as a Day of Compassion on an annual basis. The bill was intended to encourage teachers in the state to cultivate compassionate thinking and actions through programs such as assemblies, classroom exercises, or other age appropriate means. The committee was deeply impressed by the sponsor's concern for the wellbeing of our young people, her sincere intentions, and informative delivery of the potential affects passage of the bill would yield. The majority of the committee felt that while the merits of the idea were worthy, the subject matter could be best taught on a continuing basis by parents and through existing educational programs. Vote 13-1.

**HB 1294**, relative to exemptions from licensure as a massage therapist. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. Bowen Therapy uses very light touch to align the autonomous nervous system to allow the body to heal itself. The current statutes currently exempt polarity therapy and therapeutic touch from regulation under the massage theory statutes. This bill would just add this one additional therapeutic treatment to the list of exempt practices. No one showed up in opposition to the bill and the practitioners spoke about national standards that were already in place to oversee this technique. The committee saw no harm in removing this technique from regulation under the massage therapy practice act. Vote 16-0.

**Amendment (0128h)**

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

**HB 1357**, relative to the duties of the department of cultural resources. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill, with the amendment, establishes the Division of Film and Digital Media within the Department of Cultural Resources. The mission of this division is to market and promote film, video and digital media production for the purpose of strengthening the cultural, educational and economic impact of media production in New Hampshire. The committee heard testimony that these media forms are becoming a more vibrant part of our economy and as such require resources dedicated to amplifying and enhancing the contributions of this sector. Support for this legislation is intended to recognize an important part of our economy. Vote 13-1.

**Amendment (0288h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; General Functions of the Department of Cultural Resources. Amend RSA 21-K:2, II by inserting after subparagraph the following new subparagraph:

(e) Marketing and promotion of film and digital media for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

2 New Subdivision; Division of Film and Digital Media Established. Amend RSA 21-K by inserting after section 24 the following new subdivision:

**Division of Film and Digital Media**

21-K:25 Division of Film and Digital Media Established. There is hereby established within the department the division of film and digital media, which shall also be known as the state film office, under the supervision of an unclassified director of film and digital media, with the primary goal of marketing and promotion of film, video, and digital media production for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

3 Commissioner; Directors; Compensation. Amend RSA 21-K:3, II to read as follows:

II. The commissioner shall nominate each division director for appointment by the governor, with the consent of the council. Division directors shall serve for a term of 4 years. The directors of the divisions of arts, ~~and~~ historical resources, **and film and digital media** shall be qualified by reason of professional competence, education, and experience. The director of the division of libraries, who shall also be known as the state librarian, shall hold a master of library science degree from an accredited library school and shall have had at least 4 years' experience in a library in an administrative capacity. An accredited library school means an institution of higher education which is accredited by the American Library Association to grant a degree of master of library science.

4 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill establishes the division of film and digital media in the department of cultural resources.

**HB 1424-FN**, establishing an office of program evaluation and government accountability. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill establishes a new state office under the direction of a joint legislative committee. The office would be responsible for evaluating state agencies and programs and, if the committee deemed necessary, local and county agencies and programs. In addition, the office would ensure that public funds provided to local county governments, and many other non-profits and quasi-municipal organizations, is spent for the designated purpose. The committee was unanimous in its feeling that, though well intentioned, the bill was too broad in scope and lacked a funding source. Further, the Audit Division of the Legislative Budget Assistant's Office is already set up to conduct performance audits and financial audits of state agencies and programs. Therefore, the committee felt that this bill was not necessary. Vote 16-0.

**HB 1580-FN**, removing the real estate commission from the office of professional licensure and certification. **REFER FOR INTERIM STUDY.**

Rep. John Sytek for Executive Departments and Administration. In the last legislative session, the boards that regulate the various professions licensed by the state of NH were brought under the Office of Professional Licensing and Certification (OPLC). The Real Estate Commission was one of the agencies included in this consolidation. There was a great deal of conflicting testimony on this bill. Some boards, previously under the Joint Board (the immediate predecessor the OPLC), were satisfied with the new arrangement. The Real Estate Commission was not. Were we witnessing growing pains or a fundamental incompatibility? A performance audit of the Real Estate Commission has been scheduled. The committee decided to wait for the results of the audit and is recommending Refer for Interim Study as a means for the committee to monitor the situation. Vote 16-0.

**HB 1588**, relative to employment restrictions on former executive branch commissioners, and repealing certain prohibitions on employment of state employees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill, with the amendment, removes two current prohibitions that are in statute regarding employment after working as a state employee. These prohibitions apply to certain employees in two state agencies. The current statutes are overly restrictive and would prohibit a large office supply firm, [hypothetically Staples] from selling paper to the state if any "commissioner, deputy commissioner, financial data manager, accounting director, or director of procurement and support services of the department" decided to even work in one of their retail locations as a clerk. The penalties for the firms that hire these higher-level employees is loss of business for 5 years with the state. Testimony was given that positions were hard to fill given these "non-compete" requirements, even if the new job had no conflict of interest. The committee was very sensitive to the public perception of a revolving door policy and the chairman has called for a study of the current prohibitions regarding future employment after working for the state. That study will take place over the summer. There is already another general prohibition in place in regarding future employment under RSA 21-G:26 that prohibits for a period of 6 months any executive branch official from directly lobbying the state on behalf of a client. The bill leaves this general prohibition untouched. Vote 13-0.

### Amendment (0569h)

Amend the title of the bill by replacing it with the following:

AN ACT repealing certain prohibitions on employment of state employees.

Amend the bill by deleting section 1 and renumbering the original sections 2 and 3 to read as 1 and 2:

## AMENDED ANALYSIS

The bill repeals provisions on future employment by former employees of the lottery commission and the department of administrative services.

**HCR 11**, encouraging and commending the governor and council to open meetings of the council with an opening prayer. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This House Concurrent Resolution seeks to encourage an opening prayer at Governor and Council meetings. It elicited articulate and principled testimony in opposition as to its basis, purpose, premise and language. The committee believes the Governor and Council need no guidance from the House as to its practices, nor would they likely welcome our oversight. Vote 14-1.

**HB 218-FN**, relative to third grade proficiency in mathematics. **INEXPEDIENT TO LEGISLATE.** Rep. Joseph Pitre for Finance. This bill would amend RSA 198:40-a, II-a for an additional \$675 (adjusted to the consumer price index in subsequent years, \$710.71 for FY2018) for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the mathematics component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year. This would increase FY 2018 Adequate Education Grants based on FY 2017 preliminary data to an estimated additional cost of \$309,471. The committee felt that this affected only a small part of the student population at each school within districts and could be corrected with targeted differentiated instruction. The number of students in this category was distributed quite evenly with zero to ten affected students in each district with a comparable distribution among larger school populations. The committee believes the additional benefit from this formula change was not worth the cost. Vote 24-1.

**HB 231**, relative to the criteria for evaluating school building aid applications. **OUGHT TO PASS.** Rep. Kenneth Weyler for Finance. This bill adds to the criteria for scoring requests for school building aid. In response to the present circumstances of declining enrollments, some districts are consolidating their buildings. This creates savings for operations and hopefully lower property taxes. It also credits any safety projects that the district already paid for with some points. The bill came to the Finance Committee to ensure that passing the bill did not reopen the budget, or obligate money in violation of the moratorium on building aid. With that reassurance we are in favor of the bill. Vote 25-0.

**HB 549-FN-A-L**, relative to school building aid grants. **INEXPEDIENT TO LEGISLATE.** Rep. Kenneth Weyler for Finance. The concept of school building aid was vital to our state in past decades when growing student populations put great pressure on communities to add new school buildings. Most of this past decade has seen significant declines in enrollment. Therefore, the legislature saw less urgency in this part of the budget versus some others. We have had a moratorium on school building aid. Since the state is paying portions of school building bonds that were passed with 20-year payments, we are still obligated well into the future. These collective shares peaked at \$50 million in our budget and then began to decline as older bonds were paid off. In the present budget, the House position was to sustain the level at \$50 million, but with bond maturities, we would have had \$8 million to spare in FY16, and \$13 million in FY17. This scheme did not survive the committee of conference, where money was reduced to bond payments only. This bill proposes to restore the House position but reduces all the previously agreed state portions, which ranged from 30% to 60%, to 25% to 55%, so each of the five categories is reduced by 5%. Although the committee appreciates the effort, the changing priorities in our budgeting have brought competing issues to more prominence, and we are not ready to bring school building aid back. Vote 25-0.

**HB 585-FN-A**, (New Title) relative to penalty assessments. **INEXPEDIENT TO LEGISLATE.** Rep. Peter Leishman for Finance. The bill provides a funding source for several very worthy programs. However, the majority could not support placing penalty assessments on administrative fines imposed by the NH Liquor Commission on license holders as a source of funding. The bill contains no appeal process to challenge the proposed 24 percent penalty assessment or the fiscal impact to collect the proposed penalty assessment. Allowing the Liquor Commission or any other state agency or commission to assess penalties without a right of judicial oversight is inequitable. Vote 25-0.

**HB 1215-FN-A**, changing the allocation of penalty assessment funds, establishing a compensation fund for victims of crimes against the person, and continually appropriating a percentage of penalty assessments to such fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Eaton for Finance. While well intended, HB 1215 would have significant unintended consequences. The bill would reallocate the part of the penalty assessment fund that supports the Police Standards and Training Council. NH law requires all law enforcement to attend the academy and be certified. Without the penalty assessment money, the academy would cease to exist, placing officers and their communities in violation of state law. The sponsor wanted the money to fund victims of crime. If police have no ability to meet the state training mandate, there would be no one to certify that a crime had occurred thereby leaving victims doubly victimized. Vote 25-0.

**HB 1228-FN-A**, requiring the payment of an amount paid to redeem real property and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Walsh for Finance. The members of the committee felt that the legislature was not the agency for appealing for the recovery of monies or property taken in 1993. Rather, it should have been handled as a legal matter requiring the services of an attorney and seeking remedies through the judicial system. This bill requires that the monies be paid from performance bonds held by the state, which is not allowed under state law. Vote 24-0.

**HB 1447-FN**, relative to child support paid through the department of health and human services. **INEXPEDIENT TO LEGISLATE.**

Rep. Betsy McKinney for Finance. This was a bill that addressed a citizen's request for better information regarding support payments. However, the Department of Health and Human Services has already taken steps to fix the problem and will have a new system in July that should be up, running and available for use by August or September making this bill unnecessary. Vote 25-0.

**HB 1592-FN**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. **INEXPEDIENT TO LEGISLATE.**

Rep. Lynne Ober for Finance. This bill was a companion bill that was intended to introduce additional options for the Department of Administrative Services in the management of the NH state retirement health benefits. After exploring the details of the option and the insufficient time for implementation, the prime sponsor requested the bill be voted Inexpedient to Legislate. Vote 25-0.

**HJR 4-FN-A**, recognizing the failure of the clerk of the supreme court to process a notice of errors and requiring payment of certain money to Joseph Haas. **INEXPEDIENT TO LEGISLATE.**

Rep. David Danielson for Finance. Citing RSA 93-B this resolution seeks a payment of \$42,500 plus 5% annual interest to Mr. Joseph Haas for a reported loss attributed to non-performance of a supreme court clerk's performance in FY 1994. After hearing testimony and considering the response of the Judicial Branch, citing RSA 93-B:1-a, that the bond coverage provided by the Department of Administrative Services provides coverage to the state and not individuals, and learning that a suit would have to be brought against the state for recovery, and learning that since the loss is over 20 years old, it would be time barred, the committee voted Inexpedient to Legislate. Vote 24-0.

**HJR 5-FN-A**, making a payment to Joseph Haas for compensation for unlawful incarceration. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Spanos for Finance. This bill was filed on behalf of one individual for an action that occurred in Grafton County jail in 1984. The bill requests monetary damages to be paid from the performance bond of the superior court judge and clerk. State law prohibits paying damages from any performance bond to any individual, making it impossible to implement this bill. Vote 24-0.

**HJR 6-FN-A**, making a payment to compensate Edward Brown for an illegal action. **INEXPEDIENT TO LEGISLATE.**

Rep. David Danielson for Finance. Citing RSA 93-B this resolution seeks a payment of \$150 to Mr. Edward Brown for a claim of alleged theft of filing fee. This payment would come from a performance bond maintained by the Department of Administrative Services. After considering testimony and comments from the Judicial Branch, it was determined that the bond is maintained by the Department of Administrative Services and that the coverage is for losses to the state, not

to individual citizens. Therefore, the bond is not available for payment to any individual or entity other than the state. The individual would have to bring suit against the state for recovery of the alleged loss. Without such a suit, the Judicial Branch stated, there could be no fiscal resolution to this claim. Vote 24-0.

**SB 155-FN-A**, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Spanos for Finance. This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. The committee amendment will set up a fund for the first six years for donations for the victims of the FRM scandal and the bankruptcy. After six years this fund will be sunset, but if future donations are received, they will be added to the Victims Assistance Fund and distributed to FRM victims who have applied. This requires no state dollars, as a private administrator will administer and distribute funds according to the provisions of this bill. The private administrator will receive no more than 10 percent of the private donations as remuneration. Vote 23-2.

#### **Amendment (0440h)**

Amend the bill by replacing all after section 1 with the following:

2 New Chapter; FRM Victims' Contribution Recovery Fund. Amend RSA by inserting after chapter 359-O the following new chapter:

### **CHAPTER 359-P FRM VICTIMS' CONTRIBUTION RECOVERY FUND**

359-P:1 Definitions. In this chapter:

I. "Claimant" means a person who is a victim of the Financial Resources Mortgage fraud and who has filed a complete application for recovery assistance under this chapter.

II. "Director" means the director of charitable trusts, department of justice.

III. "Financial Resources Mortgage" means Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities, and any entities established by, through, or with Scott Farah or Donald Dodge, through which moneys of Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities passed.

IV. "Financial Resources Mortgage fraud" means fraudulent acts committed by Financial Resources Mortgage or its principals where loans brokered by or serviced by Financial Resources Mortgage.

V. "Fund" means the FRM victims' contribution recovery fund established in RSA 359-P:2.

VI. "Person" means an individual, corporation, partnership, association, joint stock company, unincorporated organization, or any other entity.

VII. "Qualifying claimant" means a person who suffered financial losses as a result of the Financial Resources Mortgage fraud and is a claimant eligible for recovery assistance under this chapter. Qualifying claimant shall not include a borrower under any loan transaction borrowed or serviced by Financial Resources Mortgage.

VIII. "Recovery assistance" means payments from the fund to persons who suffered financial losses as a result of the Financial Resources Mortgage fraud.

IX. "Victim" means a person who suffered monetary injury as a result of the Financial Resources Mortgage fraud.

359-P:2 FRM Victims' Contribution Recovery Fund Established.

I. There is hereby established the FRM victims' contribution recovery fund. The fund shall be nonlapsing and continually appropriated to the director. The fund shall be capped at \$10,000,000 and shall consist of gifts and contributions of any kind.

II. The fund shall be used for awarding recovery assistance pursuant to this chapter.

III. The total amount in the fund less costs of administration shall be distributed on a pro rata basis to qualifying claimants annually on December 31 until all such claims are satisfied.

359-P:3 Eligibility for Recovery Assistance.

I. Except as otherwise provided in this chapter, a claimant shall be eligible for recovery assistance at the rate of 50 cents on each dollar lost by the claimant under this chapter if the claimant:

- (a) Submits all supplemental documents as requested by the attorney or administrator.
- (b) Can demonstrate loss due to the Financial Resources Mortgage fraud.
- (c) Meets all other requirements of this chapter.

II. In addition to a qualifying claimant and except as otherwise provided in this chapter, a surviving spouse or surviving child of a qualifying claimant shall be eligible for recovery assistance under this chapter.

359-P:4 Attorney/Administrator. The director shall hire/appoint a private attorney or administrator who shall collect gifts and contributions, review applications for assistance submitted pursuant to this chapter, make awards of assistance in accordance with the procedures of this chapter, and report annually to the director commencing on February 1, 2017 and each February 1 thereafter. The director shall negotiate the attorney’s or administrator’s compensation which in any calendar year shall be no more than 10 percent of any private sector contributions received in that calendar year.

359-P:5 Recovery Assistance.

I. A victim eligible for recovery assistance under RSA 359-P:3 may file an application for recovery assistance with the attorney or administrator on the following form:

Financial Resources Mortgage, Inc and CL&M, Inc. Victims Indemnification Application

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

E-mail \_\_\_\_\_

Social Security No \_\_\_\_\_

I.) Proof of Claim Federal Bankruptcy Court Case 09-14565-JMD and 09-14566-JMD date filed \_\_\_\_\_

Loans or Mortgages claimed (copy attached)	
1. _____	Amount \$ _____
2. _____	Amount \$ _____
3. _____	Amount \$ _____
4. _____	Amount \$ _____
5. _____	Amount \$ _____
6. _____	Amount \$ _____
7. _____	Amount \$ _____
8. _____	Amount \$ _____
9. _____	Amount \$ _____
10. _____	Amount \$ _____
Total Proof of Claim	Amount \$ _____

II.) Were you a defendant in case no. 09-1184-JMD? Yes No

Were you dismissed from the case? Yes No

III.) Did you settle with the Trustee? Yes No

Did you make a payment to the Trustee for the benefit of the bankruptcy estates to settle with the Trustee? Yes No Amount \$ \_\_\_\_\_

IV.) List any additional payments to the trustee as a result of any mortgage foreclosed, sold, or repaid as a condition of your settlement. Example: Agreed to split proceeds 80/20 with Trustee.

1. _____	Amount \$ _____
2. _____	Amount \$ _____
3. _____	Amount \$ _____
4. _____	Amount \$ _____
5. _____	Amount \$ _____
Post settlement payments to Trustee	Amount \$ _____

V.) Did you retain 100% ownership of any mortgages as a result of settlement? Yes (list below) No

1. _____	Amount \$ _____
2. _____	Amount \$ _____
3. _____	Amount \$ _____
4. _____	Amount \$ _____
5. _____	Amount \$ _____
Total Retained 100% ownership	\$ _____

VI.) List any payment from the Trustee on any mortgage he or she foreclosed on, sold, or received repayment of principle and from which proceeds were agreed to be split with you as a result of settlement.



- |          |                 |
|----------|-----------------|
| 1. _____ | Amount \$ _____ |
| 2. _____ | Amount \$ _____ |
| 3. _____ | Amount \$ _____ |
| 4. _____ | Amount \$ _____ |
| 5. _____ | Amount \$ _____ |

Total Split Proceeds received from Trustee post settlement \$ \_\_\_\_\_

VII.) Final Distribution of Bankruptcy Estate by Trustee received by you \$ \_\_\_\_\_

VIII.) Total Interest received from FRM or CL&M January 2006 through November 2009 \$ \_\_\_\_\_

(attach form 1040 and Schedule B, Interest and Dividends, for 2006-2009)

Calculate Loss:

- |                                                       |          |
|-------------------------------------------------------|----------|
| A. Total Section I. Proof of Claim                    | \$ _____ |
| Total Section III. Settlement Payment                 | \$ _____ |
| Total Section IV. Proceed split payment to Trustee    | \$ _____ |
| Total A. \$ _____                                     |          |
| B. Total Section V. 00% Retained Mortgage             | \$ _____ |
| Total Section VI. Proceed Split receipt from Trustee  | \$ _____ |
| Total Section VII. Final Distribution from Trustee    | \$ _____ |
| Total Section VIII. Interest Received                 | \$ _____ |
| Total of any other awards not otherwise accounted for | \$ _____ |
| Total B.                                              | \$ _____ |
| C. Total A minus Total B. Allowable Loss              | \$ _____ |

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signed under penalty of perjury

For administration purposes only

Grand Total All Losses submitted \$ \_\_\_\_\_

(name) \_\_\_\_\_ allowable loss submitted \$ \_\_\_\_\_

Percent of Grand Total submitted \_\_\_\_\_%

II. The complete application shall be received not more than 180 days after the effective date of this section. An extension of time may be granted for good cause shown by the claimant. However, an application that is received more than 270 days after the effective date of this section shall not be accepted. The attorney or administrator shall send a notice regarding the process for recovery under this chapter to the last known address of potential claimants.

III. All applications filed in compliance with this chapter shall be accepted. Processing of an application shall begin upon receipt of a complete application. All applications shall be reviewed by the attorney or administrator to ensure that the applications are complete. If an application is not complete, it shall be returned to the claimant with a brief statement of the additional information required. The application shall be denied if the applicant does not furnish additional information or additional time is not granted for good cause. Once an application is accepted as complete, the applicant shall be so notified.

IV. The attorney or administrator shall determine the amount of loss of original investments, if any, of each claimant and the pro rata share to be distributed to a claim demonstrating loss.

V. Recovery assistance shall be limited to 50 cents on each dollar lost on the amount of the claimant's original investment.

VI. The attorney or administrator may consider individual claims filed by persons owning a joint interest that was subject to loss due to the Financial Resources Mortgage fraud, but any recovery awarded shall only be to the extent of each individual claimant's original investment.

#### 359-P:6 Awards Under This Chapter Set Off Against Any Other Recovery.

I. The amount of any award made under this chapter shall be set off against any other recovery sources, including, but not limited to awards from private suits, arbitration, bankruptcy court awards or settlements, or other sources of recovery.

II. In the event a qualifying claimant receives an award from a recovery source listed in paragraph I subsequent to the filing of a claim under this chapter, the claimant shall immediately notify the attorney or administrator of the award. The attorney or administrator shall then modify the claimant's award and pro rata share by offsetting such award against the claimant's award under this chapter.

359-P:7 Recovery Assistance Prohibited. Recovery assistance shall not be awarded if the attorney or administrator for the attorney or administrator determines the claimant:

I. Sustained the monetary injury as a result of participating or assisting in or attempting to commit or committing financial fraud with Financial Resources Mortgage; or

II. Profited or would have profited from the financial fraud of Financial Resources Mortgage.

359-P:8 Award Not Subject to Other Processes. An award made under this chapter shall not be subject to execution, attachment, garnishment, or other process. A claimant convicted of forgery, fraud, or deception in connection with a claim under this chapter shall forfeit an award paid to the claimant under this chapter.

359-P:9 Liability of State. The state shall be under no obligation or liability under this chapter except to make payments to claimants to whom the recovery fund attorney or administrator has made awards of assistance, but only to the extent there is money available in the fund.

359-P:10 Claims Prior to January 1, 2006. Claims for restitution assistance shall not be accepted for any losses that occurred prior to January 1, 2006 due to financial fraud.

3 New Subparagraph; FRM Victims Contribution Recovery Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:

(332) Moneys deposited under the FRM victims' contribution recovery fund, established in RSA 359-P:2.

4 Victim's Assistance Account; Department of Justice; FRM Victims Added. Amend RSA 21-M:8-h, I(a)(4) to read as follows:

(4) Any person who is a victim of human trafficking and has been tattooed with an identifying mark of human trafficking by a person who has forced him or her into trafficking;

(5) *Victims of the FRM fraud.*

5 Applicability. Upon repeal of the FRM victims' contribution recovery fund, established in RSA 359-P:2, on July 1, 2023, any remaining moneys in such fund shall be deposited in the victim's assistance account established in RSA 21-M:8-g and shall be used to compensate any remaining victims of the FRM fraud.

6 Repeal. The following are repealed:

I. RSA 359-P, relative to a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud.

II. RSA 6:12, I(b)(332), relative to the FRM victims' contribution recovery fund.

7 Effective Date.

I. Sections 4 through 6 of this act shall take effect July 1, 2023.

II. The remainder of this act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. Under this bill, the director of charitable trusts shall hire or appoint an attorney or administrator to review applications for and make restitution assistance to victims from the FRM victims' contribution recovery fund.

**HB 1100**, relative to licensure of guides by the fish and game department. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Long for Fish and Game and Marine Resources. After testimony, the committee felt that licensed guides need to be held to a higher standard of safety and responsibility, with appropriate repercussions for failing in this regard. This bill would weaken this standard. The Department of Fish and Game opposes the bill. Vote 13-0.

**HB 1106**, relative to days on which fishing is permitted without a license. **INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for Fish and Game and Marine Resources. The committee is in favor of another bill (HB 1286) that it has heard on the same subject, which the committee believes is more effective. Vote 11-0.

**HB 1136**, authorizing the fish and game department to grant awards for solutions to reducing the Asian shore crab and European green crab populations. **INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for Fish and Game and Marine Resources. The committee voted to oppose the bill because no mechanism for raising the money for the awards was provided. Additionally, the Department of Fish and Game can already entertain proposed solutions for crab control from citizens. Vote 13-0.

**HB 1176**, relative to nomination and qualification of fish and game commissioners. **REFER FOR INTERIM STUDY.**

Rep. Jonathan Manley for Fish and Game and Marine Resources. This bill needs more study and is not yet ready to become a law. Vote 12-0.

**HB 1177**, relative to permission required for baiting for game on the property of another. **INEXPEDIENT TO LEGISLATE.**

Rep. Jonathan Manley for Fish and Game and Marine Resources. This bill removes the requirement that a person, before baiting for game on the property of another, must first file with the local conservation officer the written permission granted by the property owner and a map showing the bait site. All testimony received by the committee on this bill was in opposition, including that of the sponsor. Vote 13-0.

**HB 1191**, establishing an exotic game license for hunting in a game preserve. **INEXPEDIENT TO LEGISLATE.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill was targeting one specific organization in the state, and the exotic animals are private property exactly like farm animals. Asking someone to pay the state for a license to kill private property is a violation of private property rights. Vote 11-2.

**HB 1267**, relative to the family hike safe card for fish and game search and recovery expenses. **OUGHT TO PASS.**

Rep. Ivy Vann for Fish and Game and Marine Resources. This bill changes the definition of family to include dependent adults for the purpose of coverage under a family hike safe card. Such individuals should enjoy the benefits of a hike safe card since they are members of the family. Vote 11-0.

**HB 1268**, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. **OUGHT TO PASS.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill gives further clarification to the situations in which the Department of Fish and Game can recover expenses from individuals for rescue operations by strengthening the ability to seek restitution in the courts from those who acted recklessly. Vote 11-0.

**HB 1286**, relative to days when fishing without a license is permitted. **OUGHT TO PASS.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill allows the Department of Fish and Game to add an extra promotional day of fishing in a calendar year when no license is required. The extra day chosen may be in the winter so people would get a chance to experience ice fishing. Hopefully, this will get more people interested in fishing. Vote 11-0.

**HB 1383**, repealing the penalty for carrying away seaweed at night. **INEXPEDIENT TO LEGISLATE.**

Rep. Jonathan Manley for Fish and Game and Marine Resources. The law that this bill seeks to repeal is a needed protection for live seaweed. With words such as "below high water mark" and "harvest," it is clear the law covers live plants that should have this restriction. With only 18 miles of shoreline, New Hampshire could quickly be depleted of this natural resource by unregulated activity. Vote 13-0.

**HB 1388-FN**, expanding crossbow use into muzzleloader season. **OUGHT TO PASS.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill allows a person who has purchased a muzzleloader license to hunt deer with a crossbow. This will generate revenue for the Department of Fish and Game and also allow for better deer management in the troubled compact areas where muzzleloaders cannot be discharged. Vote 12-1.

**HB 1519**, relative to the season for taking bear using dogs set by the executive director of fish and game. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Long for Fish and Game and Marine Resources. The sponsor was able to work out a resolution with the Department of Fish and Game concerning the issue addressed by the bill, and so the bill is no longer necessary in the opinion of the sponsor and the committee. Vote 13-0.

**HB 1124**, relative to the membership of the occupational therapy governing board and relative to equipment used in respiratory care practice. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill originally had two parts; the first part made a change in the membership of the occupational therapy governing board and the second part addressed requirements surrounding the delivery and installation of respiratory care equipment. The testimony on the second part of the bill raised more questions than it answered, so the amendment removed the second part of the bill. As amended, the bill simply omits the requirement of a physician on the board governing occupational therapy, and adds one more occupational therapist to the board. The physician member is not needed because occupational therapists are not supervised by physicians, and it has been difficult to fill this position. Vote 17-0.

#### **Amendment (0623h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the membership of the occupational therapy governing board.

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

#### **AMENDED ANALYSIS**

This bill removes the requirement that a physician be appointed to the occupational therapy governing board.

**HB 1138**, relative to access to investigational drugs, biological products, and devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes the Terminal Patient's Right to Try Act which allows a patient with a terminal illness access to investigational drugs, biological products and devices. The committee felt strongly that terminal patients deserve this option. The bill protects the rights of all involved. Similar bills have been enacted in other states. Vote 15-0.

#### **Amendment (0645h)**

Amend RSA 126-Z:1, III as inserted by section 2 of the bill by replacing it with the following:

III. "Physician" means the licensed physician who is providing medical care or treatment to the eligible patient for the terminal illness.

Amend RSA 126-Z:4 as inserted by section 2 of the bill by replacing it with the following:

126-Z:4 Private Cause of Action. Nothing in this chapter shall be construed to create a private cause of action against a manufacturer of an investigational drug, biological product, or device or against any other person or entity involved in the care of an eligible patient using the investigational drug, biological product, or device for any harm done to the eligible patient resulting from the investigational drug, biological product, or device, if the manufacturer or other person or entity is complying in good faith with the terms of this chapter and has exercised reasonable care.

126-Z:5 Severability. If any provision of this chapter, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the chapter which can be given effect without the invalid provisions or applications and to this end the provisions of this chapter are severable.

**HB 1209**, relative to consultations under the telemedicine law. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary Freitas for Health, Human Services and Elderly Affairs. The law currently requires a face-to-face connection between practitioners and patient in telemedicine. This bill would remove the face-to-face requirement, services being provided via telephone only. The committee believes that current practices already provide a telephone level of service to patients. Vote 18-0.

**HB 1210**, relative to prescriptions for controlled drugs by telemedicine. **OUGHT TO PASS.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation extends the use of telemedicine care. It provides for a prescriber to continue the treatment of an established patient after the patient moves, for example, telemedicine allows the provider to monitor, prescribe and plan for follow-up care. For example, an established patient who moves to attend college can continue their care with their provider. This includes individuals who are receiving care at a community mental health center, or those in an opioid treatment center. Vote 18-0.

**HB 1256**, requiring the attorney general to prepare an inventory of all untested rape kits. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill would require the NH Attorney General's office to inventory all collected, but untested rape kits. Extensive testimony revealed that the state forensic lab does a great job with processing rape kits and has no significant backlog. It was also pointed out that the New Hampshire Coalition Against Domestic and Sexual Violence monitors all collected rape test kits and, therefore, the bill is not needed. Vote 15-0.

**HB 1269**, extending the New Hampshire health care quality assurance commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill, as amended, adds a second public member to the commission, and extends the term of the commission to 2021. The commission performs a vital function, as it provides a forum for health care institutions to discuss and share information about safety issues and best practices. This contribution to patient safety and quality of care is valuable and should be extended. Vote 17-0.

#### **Amendment (0093h)**

Amend the title of the bill by replacing it with the following:

AN ACT extending the New Hampshire health care quality assurance commission and relative to the membership of the commission.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3, respectively:

Amend RSA 151-G:1, II(e) to read as follows:

(e) [~~One member-at-large~~] *Two members-at-large*, appointed by the governor.

#### **AMENDED ANALYSIS**

This bill extends the New Hampshire health care quality assurance commission until July 1, 2021. This bill also clarifies the membership of the commission.

**HB 1273**, requiring a medical care provider to inform a woman who is discovered to have dense breast tissue. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill requires health care providers performing mammography testing to send a notice to women who have dense breast tissue containing information about breast density. The committee heard from a radiologist explaining the reports presently being provided to every person who has a mammogram. These reports were found to be detailed and adding further requirements unnecessary. Vote 18-0.

**HB 1285**, relative to the donation of food that has passed its expiration date. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill extends the hold harmless protection for donors of food products from criminal penalties and civil damages to include food used for animal feed, or composting unless damage is caused by gross negligence, recklessness, or intentional misconduct. Vote 15-2.

#### **Amendment (0091h)**

Amend RSA 508:15, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) "Food" means any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption *or for feeding of animals*. "Food" also means food items open-dated for which the date has passed.

Amend RSA 508:15, II as inserted by section 2 of the bill by replacing it with the following:

II. The good faith donor of any food to a needy individual or individuals or to a bona fide charitable or non-profit organization for distribution or serving by such organization without charge or at a charge sufficient only to cover the cost of handling and administering such food and the distribution thereof, *or to a person for uses such as animal feed or composting*, shall not be subject to criminal penalty or civil damages arising from the condition of the food, unless an injury is caused by the gross negligence, recklessness, or intentional misconduct of the donor; provided, however, that at the time of donation such food is not knowingly misbranded and is not adulterated and has not been manufactured, processed, prepared, handled or stored in violation of applicable rules of the department of health and human services, or unless an injury is caused by the gross negligence, recklessness or intentional conduct of the donor.

**HB 1309**, adding post-traumatic stress disorder to qualifying medical conditions under therapeutic use of cannabis. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill adds post-traumatic stress disorder to the qualifying medical conditions under therapeutic use of cannabis. The committee believes that changes should not be made prior to the implementation of the medical marijuana law prior to its complete rollout. This is not to disagree that our veterans suffering from post-traumatic stress disorder would benefit from this inclusion. However, it was also believed that many with substance abuse co-existing conditions may not benefit. The committee believes that it is too soon to be making any changes. Vote 16-0.

**HB 1324**, relative to membership of the oversight committee on health and human services. **INEXPEDIENT TO LEGISLATE.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. The Oversight Committee on Health and Human Services is a long-standing joint committee of the House and Senate. The House and Senate members are appointed from the health policy committees. In addition, the committee membership was extended to include a member of the House Finance Committee as significant health legislation is often referred to the Finance Committee. The committee feels the present membership is appropriate to carry out the responsibilities assigned to the committee. Vote 18-0.

**HB 1394**, requiring the department of health and human services to report on the effectiveness of mental health treatment programs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill requires the department of health and human services to make an annual report on the effectiveness of mental health treatment programs. As amended, this bill prevents funds for services from lapsing and thus being unused from year to year. This will allow the appropriation to proceed forward for Developmental Services. The bill extends the nonlapsing of appropriations through June 30, 2017, thus providing time to effectively analyze effectiveness of the programs. Vote 15-0.

#### **Amendment (0693h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the appropriation for developmental services.

Amend the bill by replacing all after the enacting clause with the following:

1 Health and Human Services; Developmental Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-93-930010-7100 by inserting a class note immediately following such accounting unit as follows:

#### **CLASS NOTE**

557 F. This appropriation shall not lapse until June 30, 2017.

2 Effective Date. This act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill clarifies the appropriation for developmental services contained in the 2016-2017 operating budget.

**HB 1406**, establishing a commission to study the termination of Medicaid benefits when a person enters certain state institutions or county correctional facilities. **REFER FOR INTERIM STUDY.**

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. The committee supports the sponsor's concerns about this complex issue. We are assured by the NH Department of Health and Human Services that conversion from termination of benefits to suspension of benefits with incarceration is progressing well towards resolution. Vote 17-0.

**HB 1423-FN**, relative to rulemaking for prescribing controlled drugs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. The bill, as amended, sets out a timetable for rulemaking about the prescription of controlled drugs and sets out detailed requirements as to the many issues that the proposed rules must address. The major provisions of the bill apply to six boards: medicine, dental exams, nursing, optometry, podiatry and naturopathy. The intent is to specify what issues each board must address, but to let each board adopt standards which are appropriate to their areas of practice. Areas to be included in rulemaking are the

taking of medical history, patient examiners, risk assessment documentation of treatment plans, querying the prescription and drug monitoring program database. The requirements recognize the differing approaches needed for treatment of acute pain and chronic pain. Specific attention is given to requirements for prescription in emergency rooms, urgent care settings and walk in clinics. A separate section of the bill requires the board of veterinary medicine to propose rules for the prescription of opioids for use of treatment of pain in animals, and measures to be taken to ensure medicine prescribed is not being diverted. Vote 16-0.

### **Amendment (0872h)**

Amend the bill by replacing section 1 with the following:

1 New Section; Rulemaking for Prescribing Controlled Drugs; Controlled Drug Prescription Health and Safety Program. Amend RSA 318-B by inserting after section 40 the following new section:

318-B:41 Rulemaking for Prescribing Controlled Drugs.

I.(a) Before September 1, 2016, the following boards shall submit to the joint legislative committee on administrative rules final proposed rules for prescribing schedule II, III, and IV opioids, for the management or treatment of pain:

- (1) The board of medicine, concerning physicians and physician assistants.
- (2) The board of dental examiners, concerning dentists.
- (3) The board of nursing, concerning advanced practice registered nurses.
- (4) The board of registration in optometry, concerning optometrists.
- (5) The board of registration in podiatry, concerning podiatrists.
- (6) The naturopathic board of examiners, concerning naturopaths.

(b) The rules required under paragraph I shall, at a minimum, contain mandatory standards for the practice components established in paragraph II.

II. The rules shall, at a minimum, contain mandatory standards for the following practice components:

(a) Standards for the use of opioids for the management or treatment of all pain:

- (1) Conducting and documenting a detailed history and a physical exam in response to a complaint of pain or anticipated pain.
- (2) Completing a board-approved risk assessment tool to determine whether a patient is an appropriate candidate for a schedule II, III, or IV opioid.
- (3) Establishing and documenting an appropriate pain treatment plan that includes consideration of nonpharmacological modalities and non-opioid therapy.
- (4)(A) Querying the program database when writing an initial schedule II, III, or IV opioid prescription for the management or treatment of a patient's pain and then periodically, at least twice a year. Such rules shall include exceptions for:

- (i) Controlled substances administered to a patient in a health care setting;
- (ii) The program is inaccessible or not functioning properly, due to an internal or external electronic issue; or
- (iii) An emergency department is experiencing a higher than normal patient volume, and to query the program database would materially delay care.

(B) When a situation falling under exception (A)(ii) or (iii) is applicable, such exception shall be documented in the patient's medical record.

- (5) Establishing procedures for informed consent outlining the risks and benefits of opioid use.
- (6) Requiring the lowest effective dosage for the fewest number of days with specific dose limits be prescribed for a medical condition or specialty.

(7) Providing for the enforcement of the prescribing rules by specifying that noncompliance with the rules may constitute unprofessional conduct under the board's practice act.

(b) Standards for the use of opioids for the management or treatment of acute pain:

- (1) Limiting the amount of days for an opioid prescription issued in an emergency department, urgent care setting, or walk-in clinic. This specific duration limit shall be set by each board no later than August 1, 2016 taking into consideration the recommendation from a majority vote of a policy group consisting of the chief medical officer of the department of health and human services, a physician designated by the New Hampshire chapter of the American College of Emergency Physicians, a physician designated by the New Hampshire Hospital Association, an advanced practice registered nurse designated by the New Hampshire Nurse Practitioner Association, a physician or advanced practice registered nurse designated

by the governor, a board certified surgeon, designated by the New Hampshire Medical Society, and an oral surgeon, designated by the New Hampshire Dental Society. Five members of the policy group shall constitute a quorum. All policy group meetings shall be open to the public and noticed in the house and senate calendars.

(2) In settings where continuity of care is anticipated, each board shall establish finite limits considering dose and duration of opioid prescriptions for treatment of acute pain and appropriate timing of office follow up for persistent, unresolved acute pain.

(c) Standards for the use of opioids for the management or treatment of chronic pain:

(1) Mandatory use of written treatment agreements, such as the agreement developed by the American Academy of Pain Medicine. Treatment agreements shall include conduct that triggers the discontinuation or tapering of opioid prescriptions.

(2) Establishing a requirement for periodic review conducted at reasonable intervals to reevaluate treatment plans and use of opioids.

(3) Establishing a procedure for, and documenting consideration of, consultation with, or referral to a specialist for patients receiving a high morphine equivalent dose for longer than 90 days.

(4) Creating exemptions to the prescribing rules for situations in which an opioid is being prescribed for the management of chronic pain for:

(A) Patients with cancer pain;

(B) Patients with a terminal condition;

(C) Long-term, nonrehabilitative, residents of a nursing home facility.

III. Before September 1, 2016, the board of veterinary medicine shall submit to the joint legislative committee on administrative rules final proposed rules for prescribing schedule II, III, and IV opioids by veterinarians for the management or treatment of pain. For the practice components set forth in paragraph IV, the term "patient" refers to the animal being prescribed opioids for the management or treatment of pain, and the term "owner" refers to the legal owner of the animal.

IV. The prescribing rules required by paragraph III shall, at a minimum, contain mandatory standards for the following practice components.

(a) Standards for the use of opioids for the management or treatment of pain:

(1) Conducting and documenting a detailed history and a physical exam in response to a complaint of pain or anticipated pain.

(2) Completing a board-approved risk assessment tool to determine whether a patient is an appropriate candidate for a schedule II, III, or IV opioid.

(3) Establishing and documenting an appropriate pain treatment plan that includes consideration of nonpharmacological modalities and non-opioid therapy.

(4)(A) Querying the program database when writing an initial schedule II, III, or IV opioid prescription for the management or treatment of a patient's pain and then periodically, at least twice a year. The program shall be queried for the patient, its owner, and the individual bringing the patient in to see the veterinarian, if applicable. Exceptions to this requirement shall be limited to situations in which:

(i) Controlled substances are to be administered to a patient in a health care setting.

(ii) The program is inaccessible or not functioning properly, due to an internal or external electronic issue.

(B) For exception (ii), the specific reason why there was no query of the program database shall be documented in the patient's medical record.

(5) Establishing procedures for informed consent outlining the risks and benefits of opioid use.

(6) Requiring the lowest effective dosage for the fewest number of days with specific dose limits, if appropriate, be prescribed for a medical condition or specialty.

(7) Providing for the enforcement of the prescribing rules by specifying that noncompliance with the rules may constitute unprofessional conduct under the board's practice act.

(b) Standards for the use of opioids for the management or treatment of acute pain:

(1) Limiting the amount of days for an opioid prescription issued in an emergency care setting. The board shall base its recommendation on the limit established pursuant to paragraph II(b)(1).

(2) In settings where continuity of care is anticipated, establishing finite limits on dose and duration of opioid prescriptions for treatment of acute pain and appropriate timing of office follow up for persistent, unresolved acute pain.

(c) Standards for the use of opioids in the management or treatment of chronic pain.



(1) Mandatory use of written treatment agreements, such as the agreement developed by the American Academy of Pain Medicine. Treatment agreements shall include conduct that triggers the discontinuation or tapering of opioid prescriptions.

(2) Establishing a requirement for periodic review conducted at reasonable intervals to reevaluate treatment plans and use of opioids.

V. At a minimum, each board's Internet website shall include online links to board approved:

- (a) Continuing education on the prescribing of opioids.
- (b) Screening tools.
- (c) Treatment agreements.
- (d) Risks and benefits of opioid use.
- (e) Proper storage of opioids.
- (f) Proper disposal of unused opioids.

Amend RSA 329:9, XX as inserted by section 2 of the bill by replacing it with the following:

XX. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 317-A:12, XIII as inserted by section 3 of the bill by replacing it with the following:

XIII. *Prescribing controlled drugs pursuant to RSA 318-B:41; and*

Amend RSA 326-B:9, XII as inserted by section 4 of the bill by replacing it with the following:

XII. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 327:31, X as inserted by section 5 of the bill by replacing it with the following:

X. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 315:4, XII as inserted by section 6 of the bill by replacing it with the following:

XII. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 328-E:10, I(e) as inserted by section 7 of the bill by replacing it with the following:

(e) *Prescribing controlled drugs pursuant to RSA 318-B:41.*

Amend RSA 332-B:7-a, XV as inserted by section 8 of the bill by replacing it with the following:

XV. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend the bill by replacing section 9 with the following:

9 Repeal. RSA 318-B:39, relative to prescribers required to query the program prior to prescribing controlled substances, is repealed.

10 Effective Date.

I. RSA 318-B:41, II(a)(4), IV(a)(4), and section 9 shall take effect January 1, 2017.

II. The remainder of this act shall take effect upon its passage.

## **HB 1425-FN, restricting the use of food stamps in convenience stores. INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill sought to limit "food stamp" purchases to only milk at convenience stores. Strict guidelines are issued from the USDA, which administers the program on what categories of items a store has to sell in order to be qualified to accept the Supplemental Nutrition Assistance Program (SNAP) benefits. The sponsor believed that recipients could purchase food at grocery stores to get a better price for food. The committee believed that this bill is discriminatory and not within the ability of the state to implement. Vote 15-0.

## **HB 1429, relative to the use of microbeads in personal care products and over-the-counter drugs. INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. Microbeads used in beauty products can cause problems with water treatment facilities. They do not disintegrate and can cause problems for wildlife. This bill is no longer needed because a federal law has been passed which regulates use. Vote 13-0.

## **HB 1464-FN, relative to monitoring visits to child day care agencies. INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. The committee understood the sponsor's view for only announced inspections for day care. The Department of Health and Human Services testified that the funding the state receives for day care is in the form of a block grant and it mandates that the department conduct unannounced inspections. The department also testified that if they arrive at a center or day care and it was inconvenient or an activity was happening that the department would be flexible and conduct the inspection on another day. Vote 18-0.

**HB 1490**, relative to collaborative practice between pharmacists and health care practitioners. **OUGHT TO PASS.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation upgrades the qualifications, standards and supervision of collaborative pharmacy agreements between pharmacists and health care practitioners. Health care systems are undergoing significant changes nationally and in New Hampshire. Pharmacists occupy a significant place in the delivery of healthy services. Specifically, pharmacists have expertise in dealing with people who have multiple chronic conditions and the increased use of more complex medication. This legislation was the unanimous product of the Commission to Study the Standards for Collaborative Practice. Vote 13-0.

**HB 1501**, relative to qualifying medical conditions for the use of cannabis. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill, having been fully vetted by the committee and being determined to be Inexpedient to Legislate, is not an addition that needs to be adopted at this time. It is the finding of the committee that the current law has not been fully implemented and we should allow time for it to go into effect as originally passed before making changes or additions. Vote 15-0.

**HB 1537-FN**, relative to testing for Lyme disease. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. This bill requires health care providers to send certain information to persons being tested for Lyme disease. While expressing concerns for issues raised by the sponsors and receiving assurances from the appropriate society that they would work with the sponsor to address these concerns, the committee reaffirmed a strong reluctance to commit medical information, or recommendations to statute. Vote 18-0.

**HB 1541-FN**, prohibiting placement of certain persons with a mental illness in the secure psychiatric unit, and authorizing the commissioner of the department of corrections to seek therapeutic alternatives. **REFER FOR INTERIM STUDY.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. There has been considerable discussion over the past several years about the location and operation of the Secure Psychiatric Unit (SPU) presently operated by the New Hampshire Department of Corrections. Thoughtful studies were conducted in 2006 and 2010. This legislation provoked considerable concern about the present location of the SPU. However, there was considerable concern about potential unintended consequences from passage of this legislation. It is the hope of the committee that a robust Interim Study committee can move this serious issue forward. Vote 17-0.

**HB 1542-FN**, requiring drug testing of public assistance recipients. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. The bill requires an invasive and suspicious drug test of all public assistance recipients. Recipients of public assistance do not surrender their constitutional rights. Courts have already held that the state may not deny an individual benefits because the individual has exercised his or her constitutional rights. Nor may an entire class of citizens be denied their constitutional rights. There is no documentation that drug use in this population is any greater than that of the general population. In addition, the program would likely cost more to administer than it would save in benefit costs. Vote 18-0.

**HB 1634-FN**, relative to the penalty for possession, use, or sale of fentanyl. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. This bill was found inexpedient to legislate as the penalty for fentanyl use, or sale, was addressed previously in Senate Bill 576 which has already been signed into law. The bill sponsor agreed that this bill was no longer necessary. Vote 18-0.

**HB 1648-FN**, relative to sales by pharmacists under the controlled drug act. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill authorizes pharmacists to fill a prescription for certain controlled drugs for a 34-day supply or 100 dosage units, whichever is less. This bill is similar to HB 1423-FN, relative to rulemaking for prescribing controlled drugs which was recommended ought to pass as amended by the committee. Therefore this bill is deemed to be unnecessary. Vote 16-0.

**HB 1662-FN**, relative to abortion-inducing drugs. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. Without demonstrating a compelling need, this bill would set several precedents in addressing abortion including requiring use of FDA guidelines rather than the medical standard of practice, requiring admitting privileges for an outpatient procedure and requiring a contract with her physician to handle procedure complications. Furthermore, it would apply criminal penalties for activities under the jurisdiction of the Board of Medicine. Vote 16-1.

**HB 1664-FN**, relative to pharmacy benefit managers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill requires certain provisions to be included in contracts between carriers or pharmacy benefit managers and pharmacies. The committee heard concerns from pharmacists relative to maximum allowable cost pricing (MAC), which is a tool used by pharmacy benefit managers to control prescription drug costs. The bill establishes requirements that pharmacy benefit managers provide certain information relative to MAC pricing to pharmacists and include a process to appeal, investigate and resolve disputes. All stakeholders, including the pharmacists, the pharmacy benefit managers, and the Department of Insurance agreed to the bill as amended. Vote 16-0.

**Amendment (0846h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Managed Care; Definitions. Amend RSA 420-J:3 by inserting after paragraph X the following new paragraph:

X-a. "Contracted pharmacy" or "pharmacy" means a pharmacy participating in the network of a pharmacy benefit manager through a direct contract or through a contract with a pharmacy services administration organization or group purchasing organization.

2 New Paragraph; Managed Care; Definitions. Amend RSA 420-J:3 by inserting after paragraph XIV the following new paragraph:

XIV-a. "Drug product reimbursement" means the amount paid by a carrier or pharmacy benefit manager to a contracted pharmacy or pharmacist for the cost of the drug dispensed to a patient and does not include a dispensing or professional fee.

3 New Paragraph; Managed Care; Definitions. Amend RSA 420-J:8 by inserting after paragraph XIV the following new paragraph:

XV.(a) All contracts between a carrier or pharmacy benefit manager and a contracted pharmacy shall include:

(1) The sources used by the pharmacy benefit manager to calculate the drug product reimbursement paid for covered drugs available under the pharmacy health benefit plan administered by the carrier or pharmacy benefit manager.

(2) A process to appeal, investigate, and resolve disputes regarding the maximum allowable cost pricing. The process shall include the following provisions:

(A) A provision granting the contracted pharmacy or pharmacist at least 30 business days following the initial claim to file an appeal;

(B) A provision requiring the carrier or pharmacy benefit manager to investigate and resolve the appeal within 30 business days; and

(C) A provision requiring that, if the appeal is denied, the carrier or pharmacy benefit manager shall:

(i) Provide the reason for the denial; and

(ii) Identify the national drug code of a drug product that may be purchased by contracted pharmacies at a price at or below the maximum allowable cost.

(D) A provision requiring that, if an appeal is granted, the carrier or pharmacy benefits manager shall within 30 business days after granting the appeal:

(i) Make the change in the maximum allowable cost; and

(ii) Permit the challenging pharmacy or pharmacist to reverse and rebill the claim in question.

(b) For every drug for which the pharmacy benefit manager establishes a maximum allowable cost to determine the drug product reimbursement, the pharmacy benefit manager shall:

(1) Include in the contract with the pharmacy information identifying the national drug pricing compendia or sources used to obtain the drug price data.

(2) Make available to a contracted pharmacy the actual maximum allowable cost for each drug.

(3) Review and make necessary adjustments to the maximum allowable cost for every drug for which the price has changed at least every 14 days.

2 Effective Date. This act shall take effect January 1, 2017.

#### AMENDED ANALYSIS

This bill establishes procedures for contracts between carriers or pharmacy benefit managers and contracted pharmacies.

**HB 1665-FN**, adopting the interstate medical licensure compact. **OUGHT TO PASS.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill allows the State of New Hampshire to join with other states in the formation of a medical licensure compact. Committee support for the concept was unanimous. Being a member of the compact will allow a licensed physician in one state that wishes to practice in another state, to not have to duplicate all of the history that is required for an initial license. Each state the physician holds a license in will have the renewal requirements and the licensee needs to satisfy each license. This does not lower any requirements. Vote 18-0.

**HB 1680-FN**, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill, as amended, extends for one year to June 30, 2017 the suspension of prior authorization requirements for a community mental health program for drugs used to treat mental illness. The committee is persuaded that this moratorium should not be lifted without having additional safeguards in place to protect both patients and public safety. Vote 16-0.

#### Amendment (0622h)

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

**HB 1681-FN**, relative to hypodermic syringes and needles containing trace amounts of controlled drugs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The bill is relative to hypodermic syringes and needles containing residual amounts of controlled drugs. Exchanging needles with residual amounts of controlled drugs is not illegal. Needle exchange programs will provide a point of access for reaching people. This access has been shown to improve the health of addicts. More importantly this bill will help protect the wider public from impending outbreaks of Hepatitis C and HIV. Vote 15-0.

#### Amendment (0634h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Controlled Drug Act; Definition Added. Amend RSA 318-B:1 by inserting after paragraph XXIX the following new paragraph:

XXIX-a. "Residual amount" means an unusable amount of a controlled substance in or on a hypodermic syringe or needle.

3 Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2, IV(d) to read as follows:

(d) The proximity of any residue of controlled substances, *except for hypodermic syringes and needles with or without residual amounts*;

4 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Practitioner. Amend RSA 318-B:17-a to read as follows:

318-B:17-a Disposal of Controlled Drugs in Possession of Practitioner. No person other than the pharmacy board, its officers, agents, and inspectors is authorized to destroy any out-dated, deteriorated, excessive or otherwise unwanted or confiscated controlled drugs which are in the possession of a practitioner, veterinarian, pharmacy, peace officer, nursing home, manufacturer, wholesaler, clinic, or laboratory or hospital. No payment shall be made to any person or institution for any drug surrendered

for destruction. A record shall be maintained which indicates the name, strength, and quantity of all drugs destroyed; the place and manner of destruction; the date and time destroyed; the name of the practitioner or institution surrendering the drugs; and the signature and title of the person witnessing destruction. Such records shall conform to any federal requirements and shall be open to inspection by all federal or state officers charged with the enforcement of federal or state controlled drug laws. ***This section shall not apply to residual amounts in hypodermic syringes and needles.***

5 Controlled Drug Act; Penalties; Exception Added. Amend the introductory paragraph of RSA 318-B:26, I(c) to read as follows:

(c) ***Except for residual amounts in hypodermic syringes and needles***, in the case of a violation involving any of the following, a person may be sentenced to a maximum term of imprisonment of not more than 7 years, a fine of not more than \$100,000, or both. If any person commits such a violation after one or more prior offenses as defined in RSA 318-B:27, such person may be sentenced to a maximum term of imprisonment of not more than 15 years, a fine of not more than \$200,000, or both:

6 Repeal. RSA 318:52-d, recording and filing of prescriptions for hypodermic syringes and needles, is repealed.

7 Effective Date. This act shall take effect January 1, 2017.

### AMENDED ANALYSIS

This bill exempts residual amounts of controlled substances in hypodermic syringes and needles from the provisions of the controlled drug act. The bill also authorizes persons other than pharmacists to dispense hypodermic syringes and needles and allows them to be sold in retail establishments other than pharmacies.

Referred to the Committee on Criminal Justice and Public Safety.

**HB 1698-FN**, relative to an integrative approach to substance abuse disorders. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill requires treatment and recovery programs for substance abuse disorders to use an integrative approach, including homeopathic remedies, when treating patients. All boards such as medical and nursing will be releasing new rules asking for consideration of all modalities available when treating substance abuse. The committee felt these new rules would be adequate. Vote 18-0.

**HB 1109**, relative to notice of offer for property in eminent domain cases and making the condemning entity liable for reasonable attorney's fees in certain cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would make the taking entity in an eminent domain case liable for attorney's fees if the property were undervalued by 20% and, in all eminent domain cases, offer at least 300% of the fair market value of the property. The majority recognized that in some cases the appraisal might undervalue the property, but extending the 300% benchmark to all cases would be unfair to the taker and, in many (perhaps most) cases unnecessarily burden taxpayers. Vote 17-1.

**HB 1115**, relative to the laws governing the citizens of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. Although some members regret the extent of regulations, rules, local ordinances and the like which have the force of law, a strong majority recognized the chaos which would ensue if this bill became law. The intention of this bill is to make this legislature, and the United States Congress, the sole source of law in this state. It would be physically impossible to place this burden on this body and the result, if enacted, would be unfortunate. Vote 13-1.

**HB 1166-FN**, appointing personal representatives for persons who had founded petitions before the house committee on redress of grievances. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would have the Attorney General appoint a personal representative to pursue the legislative remedies in reports from the now disbanded Committee on Redress of Grievances. The committee believes these remedies either have been or could be pursued through the normal legislative process making this bill unnecessary. Vote 14-1.

**HB 1196**, relative to the amount of a money judgment for unpaid rent. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill sought to increase the maximum money judgment order in an eviction case from \$1,500 to \$5,000. The committee believes that this would cause many more evictions to move to Superior Court, defeating the purpose of the increase. Vote 14-0.

**HB 1204**, relative to payment of rent pending the stay of an eviction proceeding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Claire Rouillard for Judiciary. This bill as amended allows a tenant and a landlord to negotiate and enter into an agreement to pay past due rent, which includes an agreement of the tenant to waive any right to appeal. This agreement allows the tenant to remain in their home if timely payment of arrearage and future rents are made. Vote 18-0.

**Amendment (0234h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Landlord Tenant; Discretionary Stay Dependent on Payment of Rent; Payment of Arrearage and Current Rent Due. Amend RSA 540:13-c, II to read as follows:

II. Nothing in this section shall be construed to prohibit the parties in a case of nonpayment of rent from agreeing that, in spite of judgment for the plaintiff, a writ of possession shall not be issued, if the defendant makes payments in accordance with a schedule designated in the agreement. [However, if such payments are not made when due, a writ of possession shall be issued upon request of the plaintiff.] *The agreement may incorporate the arrearage, future rent due, court costs, and service fees. Entering into such an agreement shall waive the defendant's right to appeal.*

*(a) Every such agreement shall conspicuously state in a separate paragraph at the end of the agreement the following language:*

***I, TENANT/DEFENDANT IN THIS ACTION, UNDERSTAND THAT IF I FAIL TO MAKE ANY OF THE PAYMENTS CALLED FOR IN THIS AGREEMENT ON TIME, THE COURT MAY ORDER THE SHERIFF TO EVICT ME WITHOUT A HEARING. I ALSO UNDERSTAND THAT BY SIGNING THIS AGREEMENT I AM GIVING UP MY RIGHT TO FILE ANY APPEAL IN THIS CASE.***

*(b) If the plaintiff has not filed an affidavit of non-compliance within 14 days of the date that the final payment under the agreement is due, the court shall dismiss the action.*

*(c) The acceptance of any payment pursuant to such an agreement shall not establish a new tenancy.*

*(d) If payments are not made when due, as evidenced by an affidavit of non-compliance filed with the court by the plaintiff and served in hand or at the abode of the defendant before the affidavit is filed with the court, the court shall issue a writ of possession, within 5 business days of the filing of the affidavit with the court, and without further hearing or judicial review.*

*(e)(1) Notwithstanding the provisions of subparagraph (d), the court may hold a hearing to determine whether or not a writ of possession shall issue if the defendant files an objection or other pleading in court within 4 business days of the filing of the affidavit of non-compliance and certificate of service with the court, which alleges that:*

*(A) The defendant made a timely tender of the required payment; or*

*(B) The defendant had a specific compelling cause for not tendering the required payment or payments on time, and that the defendant is able to tender the past-due payment or payments at the time the defendant files his or her objection or other pleading.*

*(2) If the court finds that the defendant's motion or other pleading do not meet the requirements of subparagraph (1)(A) or (1)(B), it shall issue a writ of possession. If the court determines that the defendant's allegations meet the requirements, a hearing shall be scheduled to occur within 4 business days of the filing of the defendant's objection or other pleading.*

*(f)(1) At any hearing under subparagraph (e)(2), the defendant shall have the burden to prove that:*

*(A) The defendant has made timely payments, and therefore the writ of possession shall not issue; or*

*(B) The defendant has brought to court cash or a certified check sufficient to tender all past-due payments, and the defendant had a specific compelling cause for his or her failure to tender any past-due payments.*

*(2) If the defendant fails to meet his or her burden of proof under subparagraph (1)(A) or (1)(B), the court shall issue the writ of possession.*

*(3) If the defendant meets his or her burden of proof under subparagraph (1)(B), the court shall order the defendant to tender, by cash or certified check, all past-due payments to the plaintiff immediately. If all past due-payments are tendered immediately by cash or certified check, a writ of possession shall not issue, otherwise a writ of possession shall issue.*

2 Effective Date. This act shall take effect upon its passage.

**HB 1216-FN**, requiring public bodies and agencies to provide information which is not regularly kept or reported upon payment by the requestor. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for Judiciary. RSA 91-A:4 grants all citizens the right to inspect governmental records. However, the statute explicitly states that public bodies or agencies are not required to compile, cross-reference, or assemble information into a form in which it is not already kept. This bill would reenact that portion of the law to require public bodies and agencies to compile and report information that is not normally kept after receiving payment by the requestor. The supporters of this bill testified that repeated right to know requests were refused on the grounds that the data requested was scattered and would require compiling. They believed that this bill would address the issue by mandating the compilation. The committee unanimously agreed that while there were some cases where compilation could be easily achieved, there were many more cases where this would not be so, and that the bill was so broadly written that it would have the impact of turning agencies into data researchers. Public bodies and agencies do not have the resources to execute this kind of work on a large scale. The current right to know statute grants anyone the right to inspect any document for free, and it has no restrictions on how the requestor may choose to compile or tabulate that data after it has been received. The committee therefore felt that this bill was unnecessary and burdensome. Vote 12-0.

**HB 1218**, relative to levy of executions on shares in any corporation. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Judiciary. This bill attempts to add a criminal penalty to civil litigation. The language of the bill is directed to "officers" of a corporation who fail to give appropriate notice of the sale in two adjoining towns, 30 days prior to the sale. Failure to provide this notice would result in a "penalty" and find an "officer" guilty of a "violation" and subject to a "fine" equal to the value of such shares or interest. This is inconsistent and contrary to the civil law in New Hampshire. Vote 15-0.

**HB 1276**, relative to a taxpayer's application for a property tax abatement. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to allow a taxpayer to raise constitutional issues when seeking a tax abatement. The committee believes that tax abatement boards should not be asked to rule on such issues. Vote 17-1.

**HB 1306**, allowing periodic payments of judgments to include assignment of wages. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill would allow the court to order judgment in some circumstances to be deducted from wages by employers. The sponsor agreed that the bill needs substantial additional work. Vote 16-0.

**HB 1333**, requiring that courts provide jurors with information regarding the authority of the position of juror. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for Judiciary. This bill seeks to educate jurors as to their authority by requiring that courts provide educational information to prospective jurors with their juror qualification forms. The bill also specifies the language of the information to be provided. While some members of the committee felt that there might be value to an educational brochure or pamphlet, the bill as written takes language directly from literature generated by the Fully Informed Jury Association and mandates its use. The committee unanimously found the proposed language to be unnecessarily harsh and combative and believed it would inevitably create an adversarial relationship between the jury and the judge. Vote 16-0.

**HB 1413**, establishing a commission to study processes to resolve right-to-know complaints. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill would establish a commission to study processes to resolve right to know complaints. The bill as written would create a narrow and unbalanced commission membership. It includes a member from Right to Know New Hampshire, and fails to include other significant stakeholders. Suggestions for a more balanced membership were discussed at the hearing on this bill, however, no amendment was offered. In addition, the focus of study by the commission is about creating an ongoing board or commission to adjudicate citizen right to know complaints. The committee did not support this concept. Vote 11-3.

**HB 1418-L**, relative to the minutes of nonpublic sessions of public bodies. **OUGHT TO PASS.**

Rep. Mark McLean for Judiciary. This bill addresses the type of information that is to be included in the minutes of nonpublic sessions under the right to know law. Testimony revealed that there is confusion as to what should be in the contents of nonpublic minutes and this has led to a wide variation in the application of the law in cities and towns throughout the state. The bill creates consistency by clarifying that the same content that is contained in public minutes must also be contained in nonpublic minutes. In addition to this, the nonpublic provisions that allow for the sealing of minutes containing sensitive information are untouched by this bill. Thus, the right to keep sensitive information confidential is preserved. This bill had broad support from both right to know activists and the New Hampshire Municipal Association. Vote 18-0.

**HB 1419**, relative to voting records in nonpublic sessions of public bodies. **OUGHT TO PASS.**

Rep. Michael Sylvia for Judiciary. This bill makes a slight change to our right to know statute as it applies to the minutes of nonpublic sessions under RSA 91-A:3, III. The minutes of nonpublic sessions with this change will require that the vote of each member may be ascertained. This can be accomplished by noting a unanimous decision, those dissenting, or a roll call. The committee believes this is a simple rule which will enhance transparency as required under Part I, Article 8 of our Constitution. Vote 18-0.

**HB 1494**, relative to the expectation of privacy in personal information. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. The majority of the committee recognized that this bill dealt with issues of great importance to the people of New Hampshire. However, the remedies in the bill were unworkable and overly broad, and for the most part would be more appropriately addressed at the federal level. Furthermore, the bill had numerous technical flaws; for example, it would apply to all activities of any government contractor with the federal government, including activities not directly related to the contracts themselves. Vote 19-1.

**HB 1510**, relative to the review of minutes of nonpublic sessions. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill requires public bodies to properly notify persons who are the subject of certain nonpublic sessions. This bill also requires public bodies to review minutes of nonpublic sessions every three years and after review such records may be sealed. This bill relates to nonpublic meetings having to do with employee dismissal, promotion, compensation, discipline, or investigations of charges against him or her. This blanket requirement of the public body to review such records every three years, by calling another nonpublic meeting to determine if the record should remain sealed, is not practical. There are decades of such records. To carry this out would result in untold financial costs, as well as time and resources. The bill lacks a fiscal note to address the financial costs. Vote 16-2.

**HB 1569-FN**, relative to volunteers under the department of resources and economic development. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for Judiciary. Under present law, volunteers performing duties at a state park, forest, reservation, trail or historic site will be defended and indemnified, in case of a lawsuit, by the Attorney General's Office and State Treasury. Umbrella organizations, corporate or non-profit do the same work, but do not have the same protection. This bill, as amended, brings both the persons and the organizations into line with one another giving both an identical level of protection. This allows the organization to function and perform valuable services to the state with confidence they will be defended and indemnified. Vote 17-1.

**Amendment (0633h)**

Amend RSA 216-A:3-h as inserted by section 1 of the bill by replacing it with the following:

216-A:3-h Indemnification of Department of Resources and Economic Development Volunteers. Any person recognized by the commissioner of the department of resources and economic development as a volunteer *or, notwithstanding RSA 508:17, II, a corporation or other nonprofit legal entity that is recognized by the commissioner of the department of resources and economic development*, and who is under the general supervision of authorized department of resources and economic development personnel, and is actually performing assigned volunteer duties or activities at a state park, forest, reservation, trail, or historic site, shall be considered *as* a state employee for the purpose of defense and indemnification from civil suits under RSA 99-D.



## AMENDED ANALYSIS

This bill indemnifies volunteer organizations working for the department of resources and economic development.

**HB 1577-FN**, relative to alternatives to incarceration as a criminal penalty. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. The sponsor favored alternatives to incarceration for non-violent offenders. While the committee agrees with reducing the number of incarcerations, this bill does not achieve this goal. The bill adds an unnecessary layer for prosecutors by requiring them to submit a written statement to the court, duplicating what is currently done at oral argument in court and which is recorded. Further, this bill would add additional work for the clerk of court and additional time for the judge to review the written statement. The Judicial Branch estimates the fiscal impact of this bill to exceed at least \$10,000 annually and the counties assume an unspecified cost for attorney and staff time. Vote 16-0.

**HB 1582-FN**, relative to judicial salaries. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill would eliminate the weighted caseload method of compensation for part-time district and probate court judges and require them to be paid the same salaries as full-time judges. The sponsor of the bill testified that he opposes his bill due to the prohibitive cost to the state. Vote 15-0.

**HB 1596-FN-L**, changing the marriage license requirement to a requirement that couples obtain a certificate of notice of intent to marry and a certificate of marriage. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. This bill proposed totally revising the law related to marriage licenses, apparently by rolling back many provisions of vital records law and marriage law to how the laws were at some point in the distant past. This bill, if passed, would severely disrupt the keeping of vital records, would delay and complicate couples' wedding plans, and would totally disregard changes to marriage law made in recent decades. Vote 16-0.

**HB 1607-FN**, relative to entering dismissals of cases by nolle prosequi. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for Judiciary. This bill requires that a state or county attorney seeking to dismiss a case by nolle prosequi must have the Attorney General issue a written report evaluating the evidence to the parties to the case a minimum of five business days before the dismissal is sought. The sponsors of the bill felt it was necessary to prevent termination of prosecution without advance notification to the involved parties. However, this bill would create a need for the Attorney General to oversee all county attorneys and their prosecutorial decisions. This would have a substantial fiscal impact on the Department of Justice. The bill would also inhibit the discretion and flexibility of the county attorney. In many cases, the need to nol pros is immediate and the five-day notification would not be able to be met. If, for example, a witness were absent or reluctant, this bill would force the county attorney to go forward with the case even though it was not ready, potentially resulting in an undesirable verdict that would prevent future prosecution. Vote 15-1.

**HR 17**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of Governor Maggie Hassan. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill sought to investigate whether cause exists for impeachment of Governor Maggie Hassan. The committee could find no basis in the text of the bill or in the testimony presented. Vote 15-0.

**HR 18**, directing the house judiciary committee to investigate former superior court justices Robert Morrill and James O'Neill and retired Grafton county superior court clerk Robert Muh for violations of law and constitutions. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill sought to direct the Judiciary Committee to investigate several justices and clerks of court based on the assertion that they made decisions that were not constitutional and were a violation of laws. The committee found no basis in the text of the bill or in the testimony presented. Vote 14-1.

**HR 19**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of the 5 executive councilors. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph Hagan for Judiciary. This bill sought to direct the Judiciary Committee to investigate whether cause exists for impeachment of all the executive councilors. This is a constituent bill to address lingering grievances against the Judiciary. No evidence was presented by the sponsor or the constituent that merited further action. Vote 15-0.

**HB 1108**, relative to inquiries by employers into the criminal history of applicants for employment. **REFER FOR INTERIM STUDY.**

Rep. Andrew White for Labor, Industrial and Rehabilitative Services. The bill presented to the committee would have banned employers from asking potential employees if they had been convicted of a crime on an employment application. The committee agreed the bill as presented had some technical problems on which consensus could not be gained. The committee did however support the concept of giving those convicted of a crime a second chance. The Refer for Interim Study motion will allow the committee to continue to look at all options to carry out this concept. Vote 22-0.

**HB 1278**, requiring payment of lawful money to employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew White for Labor, Industrial and Rehabilitative Services. The bill sought to punish banks and credit unions with the crime of theft by extortion for charging a non-member a fee for cashing a payroll check. Current law RSA 275:43 addresses the issue adequately making this legislation unnecessary. Vote 13-0.

**HB 1331**, relative to the membership of the compensation appeals board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew White for Labor, Industrial and Rehabilitative Services. The bill as amended makes clear the experience requirements a person must have to be appointed to the Compensations Appeals Board, which hears appeals on workers compensation claims. The bill came to us because the Department of Labor was having difficulty finding interested parties with the experience required under the current statute which requires at least five years of workers' compensation experience. The original bill added equivalent experience in the field of employment. The amendment requires at least five years of experience in workers' compensation law, human resources, or administrative law. Vote 18-0.

#### **Amendment (0628h)**

Amend RSA 281-A:42-a, I as inserted by section 1 of the bill by replacing it with the following:

I. There is established a compensation appeals board. The board shall consist of a pool of 33 members, of which 11 members shall represent labor, 11 members shall represent employers or workers' compensation insurers and 11 members shall be attorneys who shall be neutral. Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation *or human resources or administrative law*. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

## AMENDED ANALYSIS

This bill clarifies the experience that the members of the compensation appeals board must have to be members of the board.

**HB 1341**, relative to employee payments to unions. **REFER FOR INTERIM STUDY.**

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. While the committee felt the premise of this bill deserves consideration, as written, the bill needs further study. Vote 18-0.

**HB 1463**, relative to mandatory vaccines. **REFER FOR INTERIM STUDY.**

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. The original bill dealt with mandatory vaccines and potential resulting workers' compensation claims from adverse effects of the vaccines. The sponsor's proposed amendment, while still dealing with vaccinations provided by employers, no longer pertained to a labor statute but to RSA 151, which the committee unanimously agreed would fall under the purview of the Health, Human Services and Elderly Affairs Committee. While both the original bill and the suggested amendment had some merit, neither, as written or suggested, has the support of the committee. Vote 20-0.

**HB 1476**, relative to prohibitions on the employment of youth. **INEXPEDIENT TO LEGISLATE.**

Rep. William Infantine for Labor, Industrial and Rehabilitative Services. The committee heard two bills regarding the same issue. The parties agreed to kill this bill and to amend the remaining bill (HB 1301) to deal with one combined piece of legislation. Vote 13-0.

**HB 1512**, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation. **REFER FOR INTERIM STUDY.**

Rep. Keith Murphy for Labor, Industrial and Rehabilitative Services. This bill is intended to address the unfortunate fact that the Department of Labor and the Department of Employment Security use different definitions for the terms "employee" and "independent contractor." In some cases employers have followed the definition provided by one agency only to face penalties and interest from another agency. The sentiment of the committee was that this inconsistency is unfair and confusing to both employers and employees. However, providing a common definition proved to be a very complicated task raising issues of possible worker misclassification, and the committee was unable to achieve a solution in the short time window prior to crossover. Rather than possibly cause harm through unintended consequences, the committee felt it best to take the time to solve this problem after due consideration and input from all stakeholders. Vote 22-0.

**HB 1523**, relative to government construction contracts. **REFER FOR INTERIM STUDY.**

Rep. Jack Flanagan for Labor, Industrial and Rehabilitative Services. Although the bill was well received and has merit, it failed to address two areas of concern. First, it restricts controls set at the local level. Second, it was best suited for contracts under \$25 million dollars. Vote 19-1.

**HB 1535-FN**, relative to liability for payment of criminal record background checks and drug tests. **INEXPEDIENT TO LEGISLATE.**

Rep. Leonard Turcotte for Labor, Industrial and Rehabilitative Services. If passed, this bill would have prevented an employer from recovering the costs of both criminal background checks and drug testing. The majority believes that the employer/employee contractual relationship should not be interfered with by further legislative actions. During the hiring process, an employer will determine who is responsible for the costs of background checks and drug testing. Once employed, the employer will have already made known to the employee which party is responsible for those costs going forward. The employee, as a condition of employment, must then accept those conditions. An employee paying costs associated with employment is not uncommon. Employees in many job classifications are personally responsible for the costs of maintaining their health, expertise, licenses and training to acceptable/adequate levels. Finally, current statutes authorize municipalities to require job applicants to pay the costs of background checks. This bill would therefore set up a situation where private employers would be subject to laws that public employers would not have to adhere to. Fiscal note information provided by the New Hampshire Municipal Association also point to multiple ambiguities as to the bill's application. Vote 16-1.

**HB 1633-FN**, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. As amended, this bill would require that employers notify workers' compensation claimants when they are placed on Family and Medical Leave Act (FMLA) leave as a result of worker injury. The notification requirement replaces the original bill, which prohibited an employer from requiring an employee to file for or accept time off under the FMLA as a result of such injury. FMLA provides a limited extension to medical benefits and we heard testimony from workers who were taken by surprise when losing coverage due to a workplace injury while federal law does require notification. The committee unanimously agreed that an effort to fully inform impacted workers was appropriate at the state level. Vote 22-0.

#### **Amendment (0680h)**

Amend the bill by replacing section 1 with the following:

1 New Section; Leave Time; Notification Required. Amend RSA 281-A by inserting after section 19 the following new section:

281-A:19-a Leave Time Due to Workers' Compensation Injury; Notification Required. An employer shall notify an employee, in writing, relative to the benefits and adverse effects of signing an application for, or accepting time off under the Family and Medical Leave Act of 1993, as amended, as a result of a workers' compensation injury when the employee is eligible. The employer shall provide such notification either prior to the employee being placed on family and medical leave or the employer accepting an application for family and medical leave from the employee.

#### **AMENDED ANALYSIS**

This bill requires an employer to notify an employee, in writing, relative to the benefits and adverse effects of signing an application for, or accepting time off under the Family and Medical Leave Act as a result of a workers' compensation injury.

**CACR 14**, relating to government of right. Providing that the people of New Hampshire have the right of local community self government. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. Members of the committee agree with the concerns expressed by the supporters of this proposed constitutional amendment. Local control over local land use is very important. However, committee members were concerned about the possible effects of the proposed language, which is very broad. The committee could not see any language which limited local power to issues of land use. Concern was expressed that the language could be used to allow a local community unfettered taxing authority. Concern was expressed that a community desiring, with the support of a large vote of its' residents, to authorize the building of a large gambling casino by an out of state corporation, might be able to use this language as way to circumvent state law and do just that. We were told that the proposed amendment would not completely override state or federal law, but the argument was not clear as to how. Opposing opinions were expressed as to whether adoption of the amendment would make New Hampshire a home rule state. A further concern is the expenditure of public funds which would inevitably occur when some entity challenged the new provision of the state constitution on the grounds of federal preemption, and the state would be forced to defend one or more costly lawsuits. With all these concerns and questions unresolved, the committee thought that a vote of Inexpedient to Legislate was the only option at this time. Vote 6-0.

**CACR 18**, relating to compensation of legislators. Providing that members of the general court shall receive \$2,500 per year. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This proposed amendment to the state constitution would increase the compensation of state legislators from \$100 to \$2,500 per year. We have many times over the years turned down raises for ourselves and we should continue to do so. Vote 8-0.

**CACR 19**, relating to the taking of human life. Providing that the general court shall not appropriate nor authorize any expenditure to benefit any corporation having as its object the taking of innocent human life. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Legislative Administration. This proposal to amend the state constitution would prevent any state expenditures for any corporation which has the object of taking innocent human life at any stage of development. The wording of the amendment is very vague. It also lacks definitions. It appears that the functions of the New Hampshire National Guard would be constrained. The committee believes that some important medical interventions in hospitals in New Hampshire could be curtailed. And, finally, many unintended consequences were foreseen. Vote 8-0.

**CACR 20**, relating to the veto of bills. Providing that a three-fifths vote of both houses of the general court be required to override a veto. **INEXPEDIENT TO LEGISLATE.**

Rep. Anthony Pellegrino for Legislative Administration. This proposal to amend the state constitution would change the vote required to override a governor's veto from two-thirds of those present and voting to three-fifths. The current Article 44 has worked fine since 1792. A majority of the committee felt that it was not necessary to change it at this time. Two-thirds is a standard super majority for many other procedures and states, and we saw no reason to change it just for veto overrides. Vote 7-1.

**CACR 25**, relating to legislation. Providing that bills dealing with assessments, rates, and taxes shall originate in the house of representatives. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. Part 2, Article 18 of the NH Constitution has been in existence since June 2, 1784. This article requires all money bills to originate in the House. When something has worked successfully for that long the committee felt there was no reason to change it. The current language allows the proper amount of discretion for us to deal effectively with bills relative to assessments rates and taxes. Vote 7-1.

**HB 1103**, requiring a report on the avails and income of a tract of land granted by the state to Dartmouth College. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Legislative Administration. This bill required an annual report from the trustees of Dartmouth College pertaining to income and expenses for a certain tract of land that had been granted to the college in 1807. Discussion of the bill revealed that this report had been initiated by the college and that this bill was premature. Vote 6-0.

**HB 1163**, relative to lobbying, campaign contributions, and political advertising. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This bill contains a number of provisions designed to enhance transparency in the political process. The committee feels that the goals of this legislation are laudable but that further work should be done to ensure that the proposed changes to the legislative ethics, lobbyist registration and campaign finance laws don't lead to unintended consequences and that they address problems that exist at the state level. Vote 6-0.

**HB 1233**, relative to the right of attendance by general court members at legislative proceedings. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. The committee discussed the existing provision addressing the ability of legislators to attend legislative proceedings and whether it presented any problems. The committee members felt that the current law covers travel to and from the State House for legislative business effectively. Vote 7-0.

**HB 1234**, relative to the seal of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy Weber for Legislative Administration. This bill would adopt the first state seal, the fish, tree, and bundle of arrows, as the seal of the General Court. The bill would also restrict the use of this seal to current and former members of the New Hampshire House and Senate and legislative staff. Committee members believe the first state seal belongs to the people of New Hampshire, and it should not be so restricted. Vote 7-0.

**HB 1319**, relative to seating assignments of members of the house of representatives. **INEXPEDIENT TO LEGISLATE.**

Rep. Anthony Pellegrino for Legislative Administration. This bill would require the Speaker to consider a member's physical disability when making seating assignments in the House chamber. This is already the practice in the House and legislation in this area is not needed. Vote 7-0.

**HB 1325**, relative to the election of chairs of house standing policy committees. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. RSA 14-A:1 currently outlines the process for filling a vacancy when the position of chairman of a legislative committee becomes vacant for any reason. This law permits the Speaker or the Senate President to appoint another member of the committee to fill the vacancy. The committee feels that this process is appropriate and should not be changed. Therefore, this bill is unnecessary. Vote 8-0.

**HB 1326**, prohibiting the general court from filing legislation in the second year of the session. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This bill would prohibit the filing of bills in the second year of the session. Many on the committee believe there should be a way of limiting excessive filing of bills. However, the adoption of this bill would restrict a member's ability to help a citizen address a problem through the legislative process. Vote 8-0.

**HB 1386-FN**, establishing a process for petitions for redress of grievance. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy Weber for Legislative Administration. This bill would establish by statute a permanent Legislative Committee for Redress of Grievances, with broad authority, among other things, to overturn actions taken by the executive branch, award sums of money to petitioners, remove judges, and issue directives to state agencies. We were also asked to ensure the committee would have the power to overturn judicial decisions. Members of the committee were concerned that efforts by one legislature to fix the rules of future legislative bodies by statute would be ineffective, as one legislature cannot bind the next. Members of the committee were also concerned about unconstitutional intrusion into the realms of the other two branches of government, and were persuaded by a legal opinion issued by House Counsel that any effort on the part of the legislature to overturn judicial decisions is also unconstitutional. With respect to the workings of the executive branch, the legislature may change those at any time by the usual passage of a bill into law. Vote 9-0.

**HB 1432-FN**, including the legislature as a public employer under the public employee labor relations act. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Tucker for Legislative Administration. This bill attempts to solve a problem that has yet to be revealed. The bill would require collective bargaining (union representation) for all of the employees of the legislature. The employees in the legislative branch would lose their individual negotiating power to their wages. Individuals with exemplary service could not receive raises based upon their stellar performance, but would be tied to a negotiated pay raise for all. This does not promote efficiency in our government. During the hearing, there was no demonstrated need brought forth for this bill. In the words of FDR, "The Government does not engage -- of course, the words "collective bargaining" were unheard of in those days -- the Government does not make contracts with any Government employee." The application of FDR's statement to all branches of government should be considered instead of this bill. Vote 7-1.

**HB 1441-FN**, requiring business impact notes for proposed legislation. **REFER FOR INTERIM STUDY.**

Rep. Sherman Packard for Legislative Administration. This bill requires the Department of Resources and Economic Development to prepare 'business impact notes' for bills. These notes would be written in addition to the 'fiscal notes' already required and before the introduction of a bill. They would involve an extensive analysis of the proposed legislation including comparisons to other state and federal laws. The committee believes that this is an idea ahead of its time, but feels that more work should be done to ensure that any new process can realistically be completed within the constraints of our current bill drafting and introduction deadlines. By sending this bill to study, we will have more time to examine all of the implications of the bill. The Clerk of the House has offered to assist the committee in making the bill more workable. Vote 6-0.

**HB 1454**, establishing a committee to determine a process for inhabitants of the state to effectuate the protections of Article 14. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This bill would establish a legislative committee to study and develop a process for inhabitants of the state to effectuate their rights under Part 1, Article 14 of the state constitution. This article entitles subjects of the state to free and prompt access to legal remedies for all injuries they may receive. The committee does not feel that a study committee is the best approach for addressing the concerns of the sponsor. Vote 8-0.

**HB 1465**, relative to recording of roll calls of legislative committees. **INEXPEDIENT TO LEGISLATE.**

Rep. James MacKay for Legislative Administration. The central focus of this legislation is to make available to the public the results of roll call votes and other pertinent data in as timely a manner

as possible. The Office of the House Clerk is already taking responsibility to satisfy the interest of this legislation. The important goals of this bill are in the process of being reviewed and achieved and therefore the legislation is not needed. Vote 7-0.

**HB 1486**, relative to membership of the state house bicentennial commission. **OUGHT TO PASS.** Rep. Lucy Weber for Legislative Administration. The bill adds four people to the State House Bicentennial Commission: the clerks of the House and Senate, and the chiefs of staff of the House and the Senate. Committee members believe this is a necessary and important addition for planning, scheduling and general liaison purposes as we prepare for the bicentennial celebration in 2019. Vote 6-0.

**HB 1653-FN**, establishing a citizen complaint and grievance website. **INEXPEDIENT TO LEGISLATE.**

Rep. James MacKay for Legislative Administration. This bill is an attempt to provide another avenue to service a focus on citizen complaints and grievances. It is clear the House has no authority to overturn a court ruling. In fact, it is deemed to be unconstitutional. Thus, it is clear that the office of the House Clerk has no legal authority to establish and maintain an internet website for receiving and reviewing citizens' complaints and grievances. House Legal Counsel has written a 'Redress of Grievances Analysis as of 2015' which is pertinent to the legal questions raised by the proposed legislation. Vote 9-0.

**HB 1669-FN**, establishing a state procedure for conventions to ratify proposed amendments to the United States Constitution. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Tucker for Legislative Administration. This bill establishes a procedure for the ratification or rejection of a proposed amendment to the US Constitution. This procedure would only take effect in the event that Congress proposes an amendment and has not specified that it must be addressed by the state legislatures and the manner in which constitutional conventions must be constituted. The committee feels that it is unnecessary to adopt the procedure proposed by this bill at this time. Vote 8-0.

**HCR 12**, urging support of the 65/25 initiative in New Hampshire. **OUGHT TO PASS.**

Rep. Lucy Weber for Legislative Administration. The 65/25 initiative is a workforce enhancement goal created by a coalition of business interests and educational institutions. The goal is to ensure that 65 percent of the New Hampshire workforce has a postsecondary educational qualification by the year 2025. Meeting this goal will help ensure that New Hampshire has a workforce that will be qualified for the jobs that will be needed in the future. The New Hampshire Coalition for Business and Education requested the endorsement of the legislature on this important goal. Vote 7-0.

**HR 16**, calling on the United States Senate and House of Representatives to consider a constitutional amendment prohibiting campaign contributions unless the donor is eligible to vote in that election. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Legislative Administration. This resolution is in support of the concept of prohibiting a campaign contribution in any national election by any person or entity who was not eligible to vote in that election locally. This would mean that a citizen of New Hampshire would not be allowed to contribute to a candidate running for office in the state of Massachusetts. Vote 6-0.

**HB 1164**, relative to contributions by a city to the county or state. **OUGHT TO PASS.**

Rep. Marjorie Porter for Municipal and County Government. This bill amends RSA 44:1 by allowing cities, upon approval by the city council, to make voluntary contributions of funds or resources to county or state projects. Vote 15-0.

**HB 1179-L**, relative to the taxation of manufactured housing on the land of another. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill would shift the liability for back property taxes on a manufactured home from the homeowner to the landowner upon which the home was located. The landowner has no authority to collect taxes and has no leverage to force compliance from the delinquent taxpayer. Vote 16-0.

**HB 1181**, relative to designating an alternate cemetery trustee. **OUGHT TO PASS.**

Rep. Benjamin Tilton for Municipal and County Government. This bill allows the governing body (select board) to appoint alternates to serve as a cemetery trustee. Alternate trustees would serve for a one-year term and could support the elected trustees as well as act in the absence of an elected trustee to conduct the business of the board. There are times when a three-member board has a

member that is absent, which provides the possibility of a tie vote and an alternate member could solve that problem. The language in this bill is the same as provided for library trustees and trust fund trustees. The committee felt bringing this in line with other elected bodies was beneficial. Vote 15-0.

**HB 1190**, relative to a grant of land to Dartmouth College. **INEXPEDIENT TO LEGISLATE.**

Rep. Ken Peterson for Municipal and County Government. This bill would have prohibited the sale of certain land granted by the General Court to Dartmouth College in 1807. It would have repealed an act approved July 10, 1846, in the Laws of New Hampshire permitting sale of this land. The committee believes the bill is unconstitutional because it seeks to repeal the 1846 Act. Part I, Art. 23 of the New Hampshire Constitution, entitled "Retrospective Laws Prohibited" applies. The right to sell property is a vested property right. The legislature may not revoke that right or condition it after the fact. The bill is no different from a private landowner who sells property, later seeking to prevent the sale of that land, despite having no ownership right in it. Vote 16-0.

**HB 1202**, relative to applications submitted to a planning board. **OUGHT TO PASS.**

Rep. James Belanger for Municipal and County Government. This bill deals with time lines for planning board applications. Current law states: the applicant shall file the application with the board or its agent at least 15 days prior to the meeting at which the application will be accepted. Many planning boards find that time period too short to deal with incomplete applications, publishing notices, notifying abutters, etc. This bill increases that time to 21 days which would allow sufficient time for processing applications. There were no objections to this bill presented in the public hearing. Vote 17-0.

**HB 1203**, relative to voting on variances. **OUGHT TO PASS.**

Rep. James Belanger for Municipal and County Government. Most New Hampshire municipalities have enacted zoning ordinances to control how their community controls and manages growth and development among other things. The legislative body votes to approve these stipulations on how their community will be governed and this becomes their zoning ordinance. Varying from the established ordinance should not be treated lightly as any change in the written ordinance modifies what the community has decided will be the ground rules, so to speak. Five members of a zoning board are allowed to vary the stipulations in the adopted ordinance if the applicant meets five criteria set in NH law. A vote of three of the five voting members is all that is required to grant a variance from the adopted ordinance. In order to ensure that each of those five criteria are taken individually and seriously, this bill requires each of the five criteria be treated individually to ensure the provisions of the laws set down in our statutes are met. It was the intent of the sponsor and co-sponsor of this bill, as evidenced by testimony, that the same three members of the board vote in the affirmative on all five criteria. However, during the deliberation in executive session, it was not clear to all committee members that the same three members needed to vote in the affirmative on all five criteria. In order to make that clear, the sponsor had an amendment drafted that specifically said the same three members had to approve each of the five criteria. When that amendment was presented to the committee during executive session, it was defeated by a vote of eight in the affirmative and nine in the negative. Then the original wording of the bill was presented and was approved on a vote of fourteen to three. It was then clear that the intent of the Municipal and County Government Committee that a vote in the affirmative on each criteria by any three members was sufficient to approve but that all five criteria be voted on individually. Therefore, an affirmative vote by any three members of the zoning board on each of the five criteria is needed to vary the provisions of the municipality's zoning ordinance. Vote 14-3.

**HB 1222**, relative to procedures for appraisals by assessing officials. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill requires assessing officials to make three attempts for an in-person inspection of property before applying a statistical update to an appraisal for property tax purposes. This bill would place restrictions on assessing officials while in the performance of their duties with respect to viewing properties for purposes of re-assessments. The Department of Revenue Administration (DRA) testified that this would place an added burden on a community as well as significantly increase costs. Assessors testified in opposition with the Manchester assessor indicating this would increase costs to the city by three times. The current system of gaining access to property is working well. Vote 15-0.



**HB 1244-L**, relative to municipal cemeteries. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Bickford for Municipal and County Government. If a municipality has a problem providing a cemetery within its boundaries this bill will allow it to enter into agreements with adjacent municipalities to provide space. The original bill allowed agreements with “for profit” cemeteries which are illegal in NH. The amendment removed the “for profit cemetery” option. Vote 14-1.

**Amendment (0379h)**

Amend RSA 289:2 as inserted by section 1 of the bill by replacing it with the following:

289:2 Municipality to Provide. Every municipality shall provide, *or may enter into agreements with adjacent municipalities or nonprofit entities to provide*, one or more suitable cemeteries for the interment of deceased persons [~~within its boundaries~~], which shall be subject to such regulations as the municipality may establish. In the absence of regulations established by vote of the legislative body, the cemetery trustees may establish such regulations pursuant to RSA 289:7, I(a). The operation and maintenance of all cemeteries owned and maintained by the municipality shall be in the charge of the cemetery trustees.

**HB 1253-L**, relative to the removal of land use board members and municipal officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill modifies the provisions for removing land use board members and repeals the provision for removing certain municipal officers. The bill goes into great detail in listing the reasons and justifications for removing appointed or elected members with explanations of such reasons as incompetency and malfeasance. The existing statutes are rather clear and appear to include all the contents of this new bill. The bill provides for appeals from dismissal to the Superior Court and holds the governing body responsible for legal and other fees in the event the court determines the dismissal was not justified. The final portion of the bill removes insanity and incapacitated to discharge the duties of the office as reasons for removal. This could create an involved legal battle if an insane or incapacitated person were removed from office. The committee felt existing statutes already cover what this bill attempts to adopt and this bill is unnecessary. Vote 14-1.

**HB 1259**, relative to liability for third party review of site plans. **INEXPEDIENT TO LEGISLATE.**

Rep. Catherine Cheney for Municipal and County Government. The intent of the bill was to solve a problem of unreasonable requests for third-party review of projects by planning boards. Citizens desiring to improve their lots bring in the appropriate engineered plans and planning boards can ask for another engineered plan or review by another firm. Contrary to the expectations of fairness from all planning boards, abuse has been known to occur as a result of nepotism and preference given to firms with whom members of the board have favor, either as friends or relatives of the engineer. The committee felt the bill using the term “one lot” was not specific enough because a large project could be situated on one lot and other reviews may be prudent for the larger project albeit on a single lot. Further study of this situation and preventive measures to protect citizens need to be put in place. Last year we passed SB 98 (Ch. 126, Laws of 2015) to have planning boards and the applicant compose a list of three firms for third-party reviews from which a second firm was to be chosen by mutual agreement. However an unforeseen consequence of this bill is that some planning boards select firms a long distance away and the person seeking the permit pays for travel time. This bill corrects unforeseen circumstances resulting after the passage of last year’s bill. Vote 17-0.

**HB 1260**, repealing the authority of assessing officials to obtain administrative inspection warrants to complete property appraisals. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill removes the authority of assessing officials to obtain an administrative inspection warrant to inspect property to complete an inventory or appraisal for purposes of property taxation. This would hinder the ability for assessing officials to perform their duties and possibly end up costing the community in legal fees. Assessors need a mechanism to view the interior of a property to assess value and ensure that the tax levied on the property is fair. This is a last ditch effort for assessors and is a valuable tool which should not be eliminated. When access to a property is refused, officials should be able to continue to get a warrant even if it means going before a justice with probable cause. The committee felt this bill tied the hands of assessing officials and could allow lower assessments than what is fair. Upon passage of this bill, refusals to allow entry would increase dramatically. For that reason, and others, the committee recommends this bill be Inexpedient to Legislate. Vote 15-0.

**HB 1262**, relative to the application of zoning ordinances to home-based businesses. **INEXPEDIENT TO LEGISLATE.**

Rep. David Bickford for Municipal and County Government. This bill applies to unincorporated places which are governed by county government. The counties showed no interest in the state limiting home based business to gross business receipts of \$200,000 or less. The committee felt this bill was not needed. Vote 13-1.

**HB 1277**, establishing a homestead act. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill would allow any property owner of a primary residence not to pay taxes and continue to occupy at least half the property under the homestead statutes. The bill says an indebted person claiming a homestead right may assert a common law right to moiety, or up to half of the freehold/estate, and the other half temporarily subject to be occupied and used by the creditor until the claimed debt shall be either extinguished by a court action or paid in full. The committee felt this provided a loophole to allow a property owner to avoid paying taxes indefinitely. Vote 15-0.

**HB 1284**, relative to highway agents. **INEXPEDIENT TO LEGISLATE.**

Rep. David Bickford for Municipal and County Government. The committee felt this bill contradicts RSA 231:65 which holds a road agent accountable when the circumstances require it. Governing bodies already have statutory authority to remove certain employees and this should not be treated any differently. Examples of reasons for removal would be offenses involving corruption, sexual assault on an employee, violations of administrative policies and ordinances of the municipality. The authority of the governing body to manage a community and do those things they were elected to do should not be undermined. Vote 15-0.

**HB 1293**, relative to the procedure for charter amendments. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Catherine Cheney for Municipal and County Government. This bill clarified some of the provisions for municipal officers and citizens regarding charter amendments. In 2014, HB 422 (Ch. 292, Laws of 2014) changed many aspects of RSA 49-B:4 and 5. Application of the law (RSA 49-B:5) in practice revealed a few things: it made sense to move text from one paragraph to another in a couple of instances, the bar for the number of signatures was too high, the process was confusing depending on which approach was taken, municipal or petition, and the process ended up in one comingled and confusing paragraph. There was not a need for an attorney's opinion of the charter amendment before sending to the state agencies (Secretary of State, Attorney General, and Department of Revenue Administration). Testimony showed that even with an attorney's opinion the state agencies might deem the language to be noncompliant with state law. The process of sending the charter amendment to the state agencies and applying their input to the amendment prevents confusion and works best. The Secretary of State, an attorney, and others familiar with charter amendments all testified that a redundant legal opinion is unnecessary. The requirement for the number of registered voters that voted in the last municipal election was lowered by the bill from 20% to 10%. Tables showing the numbers of the change revealed this was a very high bar to meet in both cases. In all cases, there are about 20 signatures in 100 that cannot be counted. The name may be unreadable, the person signing is not a registered voter of the community, the address does not match the voter checklist, a false name is given or for another reason the clerk is unable to deem the signature "sufficient." The amendment changed the number of signatures needed of registered voters in the community for a petition from 20% in current law and 10% as proposed in the bill, to 15%. The amendment changed the reference for those authorized by the petition committee to gather signatures from "persons" to "voters of the municipality," it separated out the processes for a charter amendment coming from the municipal officers versus by a petitioners' committee, and moved a few sentences around between paragraphs, which made more sense. Vote 17-0.

**Amendment (0453h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Municipal Charter Amendments; Procedures. Amend RSA 49-B:5, I to read as follows:

I. The municipal officers may determine that one or more amendments to the municipal charter are necessary and shall, by order, provide for notice and hearing on them [~~in the same manner as provided in RSA 49-B:5, V(a).~~]. *The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain*

*the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them. If substantive changes are made to the proposed amendment, a hearing on the modified amendment shall be held. Notice of the hearing and the conduct thereof shall be as provided in this paragraph.*

*(a) Within 7 days after the last public hearing, the municipal officers or the committee appointed by them shall file with the municipal clerk a report containing the proposed amendment. In the case of a report of an appointed committee, a copy shall be filed with the municipal officers.*

*(b) Within 7 days after receiving approval from the secretary of state, the attorney general, and the commissioner of the department of revenue administration under RSA 49-B:4-a, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election. In the case of municipalities with biennial elections, the municipal officers may order amendments to be placed on the ballot at either the next regular municipal election or [the next state biennial election, whichever occurs earlier,] **at a special municipal election** that occurs not less than 60 days after the order.*

*[~~(a)~~] (c) Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject.*

*[~~(b)~~] (d) Alternative statements of a single amendment are prohibited.*

2 Municipal Charter Amendments; Procedure. Amend the introductory paragraph of RSA 49-B:5, II to read as follows:

II. On the written petition of a number of voters equal to at least ~~[20]~~ **15** percent of the number of ballots cast in a municipality at the last regular municipal election, but in no case fewer than 10 voters, the municipal officers shall, by order, provide that proposed amendments to the municipal charter be placed on a ballot in accordance with the procedures set out **in paragraphs II-a through V:**

3 Charter Amendments; Procedure. Amend RSA 49-B:5, II-a (b) and (c) to read as follows:

*(b) [~~The petitioners' committee, or voters of the municipality designated by the committee, may circulate the petition and file it in proper form.~~] Each signature on the affidavit required by subparagraph II-a(a) shall be included in the clerk's count of the number of signatures required by paragraph II unless a signatory has signed both the affidavit and the petition, in which case the signature shall be counted only once.*

*(c) Promptly after the affidavit is filed by the petitioners' committee, the clerk shall file a certified copy of the affidavit, including the proposed amendment, for review of the proposed amendment in accordance with RSA 49-B:4-a. Promptly after receiving approval of the proposed amendment from the state officials under RSA 49-B:4-a, the clerk shall issue petition **form** blanks to the committee. **The petition forms shall read substantially as follows: "Each of the undersigned voters respectfully requests the municipal officers to provide for the amendment(s) of the municipal charter as set out below. If more than one subject is included in a petition, each subject shall be addressed in a separate amendment"**.*

4 Charter Amendments; Procedure. Amend RSA 49-B:5, III(a) to read as follows:

III. (a) *[~~The petition forms shall read substantially as follows: "Each of the undersigned voters respectfully requests the municipal officers to provide for the amendment(s) of the municipal charter as set out below."~~ If more than one subject is included in a petition, each subject shall be addressed in a separate amendment.] The petitioners' committee, or voters of the municipality designated by the committee, may circulate the petition and file it in proper form.* Each signature affixed to a petition shall be in ink or other indelible instrument and shall be followed by the place of domicile of the voter with street and number, if any. No petition shall contain any party or political designation.

5 Charter Amendments; Procedure. Amend RSA 49-B:5, V to read as follows:

V. (a) Within 10 days of receipt of a report that a petition is sufficient, the municipal officers shall by order provide for **and issue notice of** a public hearing on the proposed amendment. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers~~[or a committee appointed by them; provided that in the case of an amendment submitted by voter petition, the hearing shall be conducted by the municipal officers. If, as a result of the public hearing, substantive changes are made to the proposed amendment, a second hearing shall be held]~~ **and no substantive changes may be made to the amendment.** ~~[Notice of the hearing and the conduct thereof shall be as provided in this section.]~~

(b) Within 7 days after the [last] public hearing, the municipal officers [~~or the committee appointed by them~~] shall file with the municipal clerk a report containing the [final draft of the] proposed *petitioned* amendment [~~and a written opinion by an attorney admitted to the bar of this state that the proposed amendment is not in conflict with the general laws or the constitution. In the case of a committee report, a copy shall be filed with the municipal officers. Upon such filing, the provisions of RSA 49-B:4-a shall apply in the same manner as for a charter adoption; provided, however, that the municipal officers or the appointed committee shall be substituted for the charter commission for purposes of RSA 49-B:4-a, III.~~]

(c) ~~Within 7 days after the approval by the secretary of state, the attorney general and the commissioner of the department of revenue administration, or within 7 days after the last public hearing in the case of an amendment submitted by voter petition, the municipal officers]~~ *and* shall order the proposed amendment to be placed on the ballot at the next regular municipal election. In the case of municipalities with biennial elections, the municipal officers shall order the amendments to be placed on the ballot at either the next regular municipal election or at a special municipal election that occurs not less than 60 days after the date of the order.

6 Effective Date. This act shall take effect 60 days after its passage.

**HB 1296**, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. The committee felt this bill was unnecessary. The bill would require a vote of the legislative body (town meeting in the case of towns) to approve the appointment of a town manager. Legislative bodies mostly meet only once a year at the annual meeting and mandating that they approve employee appointments like a town manager would not be workable. The bill also states, "No town manager shall hire any contractor to perform the duties he or she is required to perform." The committee felt this language might prohibit hiring an assistant and would undermine the authority and responsibilities of the governing body (selectmen in the case of towns). Vote 16-0.

**HB 1304**, relative to town maintenance of a road designated as a highway to summer cottages. **INEXPEDIENT TO LEGISLATE.**

Rep. Francis Chase for Municipal and County Government. This bill would mandate the town to plow a road designated as a "summer cottage road" by the legislative body if a summer resident decided to live there year round. The committee felt that the residence was purchased with the knowledge of the extent of maintenance on the road and that this was a self-created hardship. It should be no different than a residence on a Class VI road or a private road if the resident decided to change the conditions of his or her residency. The cure would be to petition the legislative body to change the class of the road and treat it like any other Class V road in town. Vote 13-2.

**HB 1315**, adding mixed-use development to the definition of business and industrial facility. **OUGHT TO PASS.**

Rep. Catherine Cheney for Municipal and County Government. The intent of the bill is to add the term "mixed-use development" to the definition of types of development that business development authorities facilitate with communities. Though RSA 162-G:16, IV states: "The provisions of this chapter shall be liberally construed in order to effect its purposes," adding the term to the existing definition in RSA 162-G:3, IV: "...commercial, business service, mixed-use development, manufacturing,..." clarifies this. This update to the definition has clear support from agencies and communities supporting walk-able communities, clean air and economic development. Even though some communities do allow this, making it clear will avoid any unnecessary court cases. Vote 12-2.

**HB 1336-FN-L**, relative to interest on abatements of taxes. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. When a taxpayer is granted a refund on paid property taxes, the municipality pays 6% interest on the amount. This bill proposes to increase that interest paid by the municipality from 6% to 12%. This appears to mimic the 12% interest penalty paid for late payment of taxes, which is also intended to be a deterrent for taxpayers from using their city or town as a short-term bank. An increase in the amount of interest being paid to the taxpayer when an abatement is granted would increase local government expenses, and in the instance of a large utility, commercial enterprise or industrial development, this could be significant. Vote 11-3.

**HB 1363**, relative to filling of vacancies in town offices. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill requires towns to provide notice of vacancies in town offices. More specifically, it states that the authorized body or person shall post notice of the vacancy to be filled in two appropriate places, one of which may be the town's Internet website, if such exists, or in a newspaper of general circulation in the town. The notice shall include a solicitation for letters of interest and only those persons who submit such a letter shall be considered. This limits the ability of the appointing authority to an unreasonable degree. The committee felt existing hiring practices differ in different municipalities and local control should prevail. Vote 14-0.

**HB 1380**, relative to duties of police commissions. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Treleaven for Municipal and County Government. This bill attempts to limit the power of police commissions with regard to setting budgets. It states that the police commission cannot set compensation to exceed the police department budget as established by the governing body. Statutes already control spending within the budget of any municipality. The committee recognizes that police commissions have authority over supervisory and advisory duties while the governing body and/or legislative body of the municipality already has control over the budgets set. Although money can be moved within line items in a budget by the governing body, the bottom line approved by the legislative body cannot be exceeded without strict adherence to statutes already in effect. After careful consideration, the committee felt that the police commission's spending is already limited by the police department budget and this bill is unnecessary. Vote 15-0.

**HB 1384**, clarifying powers of commissioners of deeds. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Municipal and County Government. This bill attempts to clarify the power of a Commissioner of Deeds. Commissioners of Deeds are officers appointed by the Governor and Executive Council to a term of five years. They are authorized to administer oaths, take depositions and affidavits, and acknowledge instruments of writing intended to be used or recorded in the State of New Hampshire. They may or may not be residents of New Hampshire and are currently authorized to act both within and without the state. Importantly, this bill removed the authority of the Commissioner of Deeds to operate outside of the state of New Hampshire. It was due to this reduction in authority, and the unknown consequences that could result, that the committee voted to recommend Inexpedient to Legislate. Vote 15-0.

**HB 1390**, relative to municipal authority to restrict where registered sex offenders live. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Municipal and County Government. The original version of this bill had two parts. 1) It would have allowed towns to make bylaws prohibiting registered sex offenders from residing within a certain distance from a school, daycare center, or another place where children regularly congregate. 2) It would also have allowed a sex offender who was convicted after a guilty plea without a trial, before the establishment of the sex offender registry, to petition the court to have his or her name removed from the registry. The bill came before the Municipal and County Government Committee due to the first part of the bill. The prime sponsor submitted an amendment to the committee that would have removed the first part and requested that the amended bill be sent to the Criminal Justice and Public Safety Committee. Since there are already two other bills with similar subject matter as the proposed amended version (HB 1318 and HB 1343) before the proper committee and have yet to be heard before the public, our committee decided to recommend Inexpedient to Legislate for this bill and allow the other bills to address the issue at hand. Vote 15-0.

**HB 1392-L**, relative to notice of land use violations and court costs in cases brought by a municipality. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill would prohibit a building inspector, or other municipal official, from visiting a location where no building permit has been issued, unless the owner is notified and written consent is obtained. It also seeks to allow for the recovery of costs, including loss of income and attorney fees, against any planning board, zoning board of adjustment or building code board of appeals, or as a result of any other administrative action, when a person who is charged with a violation of the New Hampshire Building Code is found to be not guilty of such violation. The proposed bill states that a court shall award fees if the municipality's legal action was in bad faith, frivolous, or not well grounded in fact. This bill attempts to make the award of costs mandatory for the court by the use of the word "shall." It sets criteria that are not well defined such as "well-grounded," which would further add confusion.

This proposal is unnecessary since courts already award costs to persons or businesses affected by improper action by a municipality. This bill is unnecessary and will lead to higher local costs and to making the job of our local officials more difficult. Vote 16-0.

**HB 1395**, relative to municipal electronic records. **OUGHT TO PASS WITH AMENDMENT.** Rep. David Bickford for Municipal and County Government. The bill allowed municipalities to store records in a portable document format (PDF) as well as paper and microfilm. The amendment allows such storage in PDF format on a medium from which it is readily accessible, as well as paper and microfilm. PDF documents can be stored at significantly less cost compared to the physical space for paper. Vote 15-2.

**Amendment (0577h)**

Amend RSA 33-A:5-a as inserted by section 1 of the bill by replacing it with the following:

33-A:5-a Electronic Records. Electronic records as defined in RSA 5:29, VI and designated on the disposition schedule under RSA 33-A:3-a to be retained for more than 10 years shall be transferred to paper[;] or microfilm, or [both] *stored in portable document format on a medium from which it is readily accessible*. Electronic records designated on the disposition schedule to be retained for less than 10 years may be retained solely electronically if so approved by the record committee of the municipality responsible for the records. The municipality is responsible for assuring the accessibility of the records for the mandated period.

**HB 1407**, establishing a property tax credit for persons providing certain home health care services for a family member. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill proposed that a tax credit of \$750 be given to a family member who provided “continuing health care, nursing care or other rehabilitative care” to another family member in the provider’s primary residence. The committee was concerned that the tax credit was a mandate and not optional for a municipality to adopt and that the definition of what type of care would be provided was not defined. The application form that would be filed with the town was not specific enough for the assessing body to make a determination as to eligibility. Vote 17-0.

**HB 1439-L**, requiring regional planning commissions to file an annual report. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill modifies RSA 36:49 to require that all regional planning commissions shall make an annual report to include a summary of the activities of the agency and an audited financial statement. All regional planning commissions already require audits which are available. A publication of all of the past year’s activities into a single report would be an added expense which will be passed on to the participating municipalities. Some planning commissions do prepare an annual summary of highlights and others send out frequent monthly updates of current work activity. This bill is unnecessary and will only serve to provide a coffee table book few will read. Vote 12-3.

**HB 1460**, relative to perambulation of town boundaries. **INEXPEDIENT TO LEGISLATE.**

Rep. Ken Peterson for Municipal and County Government. This bill removes the requirement that a municipality verify their town lines and bounds once every seven years. The reason given for changing the word “shall” to “may” and making the perambulation voluntary was that most towns don’t do this now. This requirement was adopted for a reason and the fact that it is an old law does not make it obsolete. Physical verification that industrial and residential developments have not crossed over into an adjacent community is still needed. Examples of these instances happening do not support the assertion that GPS abilities of today render such verification unnecessary. Missing town bound markers and monuments cannot be detected by GPS. Finding that a building is not located in the community it was intended to be is always a surprise, and is something that GPS could not have detected. Bounds need to be inspected and property lines need to be verified, especially when the abutting property is in another state. The committee found a similar bill Inexpedient to Legislate last year and has not changed positions with this bill. Vote 14-1.

**HB 1504-FN-L**, relative to the execution of a real estate tax lien on a primary residence. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill would prevent a community from executing a tax lien on property that was in arrears for non-payment of taxes in the community as long as that property was occupied by the owner as their primary residence. This would promote non-payment of taxes in periods where the stock market was yielding high returns with no incentive for the property owner to pay taxes. If this became widespread, the community could not meet its obligations without going out for tax anticipation notes and place the community in a financial crisis. Every property, no matter who occupies it, should be treated equally unless some of the existing statutes are used for deferred or abated taxes. Vote 15-0.

**HB 1513**, relative to the duties of registers of probate. **REFER FOR INTERIM STUDY.**

Rep. James Coffey for Municipal and County Government. This legislation attempts to reinstate the duties of the Register of Probate which was removed in 2011. The committee felt that this bill was incomplete and left too many open issues and requires additional study. Vote 15-0.

**HB 1518**, relative to village district members of budget committees. **INEXPEDIENT TO LEGISLATE.**

Rep. David Bickford for Municipal and County Government. This bill would remove the requirement that a member from a village district be appointed as a member of the municipal budget committee, thus denying the district of representation. The committee felt if a district is to be taxed the district needs a representative on the committee. Vote 14-1.

**HB 1533**, relative to noise level limitations for permanent machinery. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The purpose of this bill was to give cities and towns the authority to create noise ordinances. That ability already exists in RSA 31:39(n). At the request of the prime sponsor the committee voted Inexpedient to Legislate. Vote 16-0.

**HB 1559-FN**, relative to property taxes paid by education facilities leasing property. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. Current statutes provide for tax considerations for educational institutions using property that is normally taxable. Assessing standards provide for these situations and are handled locally without state intervention. This bill would expand the tax exemptions provided to charter schools and other similar facilities to include any property used for educational purposes. However, the word educational can be interpreted in many ways and could include facilities that educate but are not in use for schooling like K-12 or community colleges, etc. The brush is much too broad and the committee felt its intent should be left to the community. Vote 15-0.

**HB 1585-FN**, relative to competitive bidding in Carroll county. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The intent of this bill is to place into statute language similar to RSA 28:8-e that mandates the competitive bidding process to be followed in Hillsborough County. The committee heard testimony from the prime sponsor as to why Carroll County's bidding process needs to be codified in a similar manner. The committee also heard from the Carroll County Administrator acknowledging that errors may have been made in the past but as he was newly appointed he asked that before the legislature took the step of passing this bill that he, the county commissioners and the county delegation work toward a policy of their own. The committee agreed and therefore recommends Inexpedient to Legislate. Vote 16-0.

**HB 1587**, relative to limitations on capital reserve funds of counties. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. The intent of this bill is to raise the amount of funding that counties can place in capital reserve funds. Currently the cap on capital reserve funds is 1/100 of 1% of the last base valuation. This bill raises that to 1/50 of 1% of the last base valuation. The committee felt this increase was in keeping with inflation. Vote 12-3.

**HB 1683-FN-L**, relative to lowering the interest rate and costs for the redemption and repurchase of property subject to a tax lien or tax deed. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill attempts to lower the interest charged on payments in the redemption or repurchase of property subject to a tax lien or tax deed. There have been times, in prior economies, when taxpayers earned more money on investments than was charged for late payments of tax bills. This resulted in communities supporting investments of taxpayers

by delaying tax payments. Other bills, in prior years, attempted to reduce the interest rate charged on late tax payments and all of those failed. The seemingly high rate of interest is meant to be a deterrent to not paying taxes and should not be reduced. After three years, the municipality has the option of taking a deed on the property and, at that time, the interest rate increases, again as a deterrent to not paying taxes when due. The second part of the bill attempts to remove the fifteen percent penalty added to the cost to repurchase the tax-deeded property. The committee felt this had some merit but was informed that there is another bill that addresses this issue and it does not need to be in this bill. The committee felt that the best course of action to leave interest rates as they are and to address the fifteen percent repurchase issue in the other bill could be best accomplished by a recommendation of Inexpedient to Legislate on this bill and allow the penalty section to be addressed by the other bill. Vote 16-0.

**HB 1200-L**, relative to the use of recycled glass. **INEXPEDIENT TO LEGISLATE.**

Rep. Martin Jack for Public Works and Highways. This very well intentioned bill attempts to increase the market for recycled glass in paving materials. Allowable state road and bridge construction materials are detailed in NH Department of Transportation specifications that are harmonized with the national engineering standards for highway construction materials. Testing and field experience ensures that approved materials are safe, strong, and durable in their intended usages. These standards already allow for use of recycled glass where appropriate. For these reasons, the bill is unnecessary. Vote 18-0.

**HB 1242**, relative to rules of the department of transportation on driveway permits. **REFER FOR INTERIM STUDY.**

Rep. Mark McConkey for Public Works and Highways. Presently the Department of Transportation is exempt from rule making for driveway permits. The sponsor proposes to change RSA 236:13 to require DOT to go through the rule making process to adopt rules for driveway permits. While testimony spoke of a restrictive permit process, DOT testified that 98.6% of driveway permits are approved. DOT also highlighted that they have changed the appeal process so that all local district denials are now reviewed in Concord. The committee was indifferent on the rulemaking change, but agreed that the appeal process should be more clearly defined in the driveway permit application, and has tasked DOT to make these changes in the appeal notification process. If substantial changes are not made by the department, a new bill can be filed next session. Interim study will allow the committee to work on a better process with the department. Vote 14-0.

**HB 1317**, renaming the North Hampton state beach as the Robert Shaw Memorial state beach. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. United States Marine Corps Rifleman PFC Robert Ernest Shaw was the only North Hampton resident that died during the Vietnam War. Testimony revealed that PFC Shaw is presently memorialized in North Hampton on town property that was renamed the "Shaw Common." While it is the practice of the Public Works and Highways Committee to consider renaming state highways and bridges to honor fallen veterans, the renaming of state parks or state beaches has not happened previously and the committee is concerned with the precedent as it is more involved than just changing the name – maps, brochures and a number of other official documents would need to be changed and would, or at a minimum could, lead to confusion amongst the public. The committee applauds the students who took on this project and urges them to work on improvements and recognition of the current memorial at the Shaw Common in North Hampton. Vote 14-0.

**HB 1397**, establishing a committee to study improvements to the Hannah Duston Memorial. **OUGHT TO PASS.**

Rep. Virginia Irwin for Public Works and Highways. Hannah Duston was the first woman in United States history to have a monument erected in her name. In fact, there are two monuments, one of which is in Boscawen, NH. It is in a questionable location and in need of attention. There is joint ownership by the state and the town and the location is also a railroad right of way. We need to study improvements to this site and make appropriate recommendations for future preservation, considering all aspects of her story. Vote 18-0.

**HB 1578**, relative to the maintenance of private roads. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. This bill was introduced in response to a change in criteria used by Fannie Mae for financing of homes on private roads. The effect of the change has impacted the ability of some buyers to obtain financing, and the committee received



testimony that it has impacted sale prices. A number of interested parties attempted to find a solution without creating additional responsibilities for private road maintenance on existing landowners. Unfortunately, language to address the problem was not developed but interested parties have agreed to continue to work toward a solution outside of the legislative process in hopes of introducing legislation in a subsequent session. The committee agreed to find the bill inexpedient to legislate at the suggestion of those who had an interest in the bill based on their commitment to continue to work toward a compromise. Vote 17-0.

**HB 1147**, requiring a report on federal landholdings within the state and establishing a moratorium on federal land acquisitions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Resources, Recreation and Development. This bill, as amended, requires an annual report by the Department of Resources and Economic Development (DRED) on federal landholding in the state and every town. Recently, the US Fish and Wildlife Service announced their intention to expand the Silvio O. Conte National Fish and Wildlife Refuge to a large part of the Connecticut River watershed, so that the sponsors were concerned that these possible acquisitions would violate existing limits on federal landholding of 2% of the area of the state and 5% of the assessed value of any town, excluding the White Mountain National Forest. This limit, imposed by state law (RSA 121:6), is not widely known. A preliminary report from DRED showed that the actual percentage was 0.7%, but if the Silvio O. Conte Refuge and the proposed Great Thicket Refuge both reach the maximum contemplated, it will exceed 2%. Since land acquisitions are a slow process, the committee believed an annual report would be sufficient. Vote 19-0.

#### **Amendment (0472h)**

Amend the title of the bill by replacing it with the following:

AN ACT requiring a report on federal landholdings within the state.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Report on Federal Landholdings. Amend RSA 121 by inserting after section 6 the following new section:

121:6-a Report on Federal Landholdings. The commissioner of the department of resources and economic development shall annually prepare and file a report on the current inventory of federal landholdings within the state and calculate what percentage of New Hampshire land is held by the federal government in accordance with RSA 121:6. Such report shall be filed with the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before July 1.

2 Initial Report. The commissioner of the department of resources and economic development shall make the first report required in RSA 121:6-a within 30 days of the effective date of this section.

3 Effective Date. This act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill requires the commissioner of the department of resources and economic development to make an annual report on federal landholdings within the state.

**HB 1170**, relative to special permits for OHRV operation in Jericho Mountain State Park. **OUGHT TO PASS.**

Rep. Yvonne Thomas for Resources, Recreation and Development. This bill would allow the Department of Resources and Economic Development (DRED) to continue to offer specialty trails for 4 x 4 off road vehicles at Jericho Mountain State Park. In 2013, HB 349 was passed which provided DRED with a three-year opportunity to develop new recreational trails for such purposes. The trails opened this spring and have proven to be a successful venture. Formal authority to continue use of the trails expired on January first and this bill would reinstate that authority. Vote 20-0.

**HB 1172**, relative to corrective action implementation of audit findings concerning Cannon Mountain. **OUGHT TO PASS.**

Rep. Suzanne Gottling for Resources, Recreation and Development. A FY 2014 audit of Cannon Mountain operations resulted in several findings that require statutory changes. This bill implements the changes outlined in audit observation 25. These changes included removal of the position of Marketing and Ski Service Administrator, updated referrals to other statutes, removed references to Mount Sunapee, specified uniform reporting dates, changed the package plan description and

authority so it accurately describes present practices, gives authority to the manager to grant special passes, and specifies the responsibilities of the Park Director and the Cannon Mountain Advisory Commission in relation to capital improvements. Vote 20-0.

**HB 1299**, relative to the frequency of background checks for camp employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill would amend RSA 485-A:24 and loosen the requirement for annual criminal background checks for employees and volunteers who may be left alone with children at youth skill camps. Presently, criminal background checks are required annually. This bill would amend the law so that criminal background checks on these employees or volunteers would only be required every three years. Although the committee understands the desire to save municipalities and public/private entities the annual fee for the criminal background checks, the committee also believes that the safety of our children and grandchildren trumps the annual fee. Vote 20-0.

**HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judith Spang for Resources, Recreation and Development. When wetlands will be impacted by a land development project, state and federal regulations require mitigation to be performed, whether by improvement of a wetland or through wetland conservation either on the same property or elsewhere. Particularly on a small property, it is not always possible for the developer to do meaningful mitigation. Alternative sites may not be available. Therefore, the Aquatic Resource Mitigation program was developed to allow developers to take the money they would have spent on their own mitigation project and place it in a large state fund. When funds are sufficient, a site selection committee evaluates potential wetland projects and disperses funds to them. This bill adds to that committee a member who is expert in stream restoration work for projects involving stream rehabilitation. The amendment just changes the name of the organization that will nominate that person. Vote 18-0.

**Amendment (0734h)**

Amend RSA 482-A:32, I(e)(5) as inserted by section 1 of the bill by replacing it with the following:

*(5) A person with experience in stream restoration work, who shall be nominated jointly by the Northeast Region of American Rivers and the New Hampshire Rivers Council.*

**HB 1461**, relative to the definition of and criteria for protection instream flow. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. Prior to the implementation of the protected instream flow component of the Rivers Management and Protection Program, pilot studies on the Lamprey and Souhegan rivers were conducted. As a result, the amended bill makes changes to the statute which will support full implementation of instream flow protection on all designated rivers. The language modifications include a definition of instream flow that incorporates current scientific knowledge, as well as additional requirements for local, broad-based stakeholder input before and during the development of protected instream flows and water management plans. Vote 19-0.

**Amendment (0456h)**

Amend RSA 483:9-c, II as inserted by section 6 of the bill by replacing it with the following:

*II. No less than 60 days prior to commencing a protected instream flow study on any designated river, the department shall hold a public hearing jointly with the senate committee with jurisdiction over river management issues and the house committee with jurisdiction over river management issues and provide a public comment period of 30 days. The department shall consider the public comments received before commencing the study.*

Amend RSA 483:9-c, VII as inserted by section 6 of the bill by replacing it with the following:

*[V-] VII. [The maintenance of protected instream flows shall constitute a condition of any permit] Only those permits issued by the department that affect stream flow [for any project or activity] within a designated river shall be required to meet protected instream flows [or segment and corridor].*

**AMENDED ANALYSIS**

This bill revises the definition of protected instream flow.

**HB 1589-FN, prohibiting the transportation of exotic aquatic weeds. OUGHT TO PASS WITH AMENDMENT.**

Rep. Frederick Rice for Resources, Recreation and Development. Invasive exotic aquatic plants have a substantial negative impact on the water bodies in which they occur. This bill, as amended, is designed to curb the spread of such plants by prohibiting the transport of such plants from one water body to another and requiring that all boats, vehicles and equipment be cleaned of attached plant material and drained of water according to specified procedures when exiting any water body. Vote 20-0.

**Amendment (0488h)**

Amend the title of the bill by replacing it with the following:

AN ACT prohibiting the transport of aquatic plants and aquatic weeds.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose; Clean Lakes Program. Amend RSA 487:15 to read as follows:

487:15 Purpose. The general court recognizes that rapidly escalating pressures of shorefront development and recreational uses of public waters have placed increasing strains upon the state's lake resources, thereby accelerating the eutrophication process in many of our public lakes through nuisance growths of aquatic *macrophytes (aquatic plants)* [macrophyton] and phytoplankton (algae) and thus posing a threat to water quality. *The general court further recognizes that transporting boats from one water body to another increases the risk of inadvertent transport of aquatic nuisance species, some of which are invisible to the unaided eye. This risk can be reduced by inspecting and draining all boats and water-related equipment upon leaving state waters.* The general court further recognizes the need to restore, preserve and maintain the state's lakes and ponds in order that these significant environmental, aesthetic and recreational assets will continue to benefit the social and economic well-being of the state's citizens.

2 New Paragraph; New Definition; Aquatic Plants. Amend RSA 487:16 by inserting after paragraph IV the following new paragraph:

V. "Aquatic plants" means plants that are adapted to live in freshwater aquatic environments, also referred to as aquatic macrophytes.

3 Exotic Aquatic Weed Penalties. Amend RSA 487:16-b to read as follows:

487:16-b Exotic Aquatic Weed Penalties. It shall be unlawful to [~~knowingly, recklessly, or purposely~~] offer for sale, distribute, sell, import, purchase, propagate, **transport**, or introduce exotic aquatic weeds into New Hampshire waterbodies. Notwithstanding RSA 487:7, any person engaging in such an activity shall be guilty of a violation.

4 New Sections; Aquatic Plants or Exotic Aquatic Weeds; Requirements for Draining Water Conveyances. Amend RSA 487 by inserting after section 16-b the following new sections:

487:16-c Transport of Aquatic Plants or Exotic Aquatic Weeds On Outside of Boats, Vehicles, and Equipment. No person shall transport any aquatic plants or plant parts or exotic aquatic weed or weed parts to or from any New Hampshire waters on the outside of a vehicle, boat, ski craft as defined in RSA 270:73, trailer, or other equipment.

487:16-d Draining of Water Conveyances.

I. When leaving waters of the state, a person shall drain their boat and other water-related equipment that holds water, including live wells and bilges.

II. Drain plugs, bailers, valves, or other devices used to control the draining of water from ballast tanks, bilges, and live wells shall be removed or opened while transporting boats and other water-related equipment, if the vessel is so equipped.

III. Commercial enterprises transporting boats for off-site storage, maintenance, or repairs, and emergency response vehicles and their related equipment are exempted from paragraphs I and II, however all such exempt commercial enterprises shall drain all water-related equipment holding water and live wells and bilges prior to transporting the equipment to another waterbody.

487:16-e Penalties. Notwithstanding RSA 487:7, any person who violates RSA 487:16-c through 487:16-d shall be guilty of a violation punishable by a fine of \$50 for a first offense and \$250 for any subsequent offense. The authority to enforce these sections shall extend to all peace officers in the state of New Hampshire.

5 Enforcement Powers Conferred. Amend RSA 270:12-a, I(e)-(f) to read as follows:

(e) Any crime or offense, excluding a violation of title XVIII or a violation of title XXI not involving a boat or watercraft, that occurs on an island or on the mainland contiguous to inland or coastal bodies of water in the absence of any law enforcement agency with jurisdiction immediately available when immediate action is required; [~~and~~]

(f) Any crime or offense when requested to render assistance to another peace officer having jurisdiction in the area[-]; **and**

**(g) *The provisions of RSA 487:16-c and RSA 487:16-d, relative to the transport of aquatic plants or plant parts or exotic aquatic weeds or weed parts on the outside of boats, vehicles, and equipment, and the draining of water conveyances.***

6 Effective Date. This act shall take effect January 1, 2017.

### AMENDED ANALYSIS

This bill prohibits the transport of aquatic plants and exotic aquatic weeds.

**HB 1595-FN**, relative to the rivers management and protection program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James McConnell for Resources, Recreation and Development. The Rivers Management and Protection Program (RMPP) was instituted in 1988 to provide for enhanced protection for certain rivers or watersheds which are documented as having outstanding characteristics. It is a ground-up program, with local citizens and groups nominating their river for designation into the program by the legislature, then taking an ongoing role in monitoring and promoting protection of the river's resources. In the intervening years, it has become apparent that refinements needed to be made in the statute's terminology as well as the composition and role of the local river management advisory committees. This bill, which emanated from the State Rivers Management Advisory Committee, makes those changes. It also makes it more apparent that designation of a river into the program means that the whole designated river, not just the most substantial parts of the stream, will be subject to the Comprehensive Shoreland Water Quality Protection Act. At the same time, it reduces the extent to which the Shoreland Act applies to smaller streams in the designated area. The amendment requires that shoreland property owners be notified when their river is being considered for designation into the RMPP. Notification of the State Rivers Coordinator and local advisory committees will no longer be required for minimum impact activities for timbering, recreational path maintenance, and agriculture. Only streams running year-round are eligible for inclusion. With these changes, the bill has the support of participating conservationists, agriculture and timber interests, and landowner rights advocates. Vote 17-0.

### Amendment (0782h)

Amend the bill by replacing section 5 with the following:

5 New Paragraph; New Hampshire Rivers Management and Protection Program; Definitions. Amend RSA 483:4 by inserting after paragraph XII the following new paragraph:

XII-a. "Meander belt" means the width on either side of a river channel which the river can occupy through time as a result of migration.

Amend RSA 483:6, I as inserted by section 9 of the bill by replacing it with the following:

I. Any New Hampshire organization or resident may nominate a ***perennial*** river or any segment or segments of such river for protection by submitting to the commissioner a description of the river or segment or segments of such river and its values and characteristics. The completed nomination shall be submitted to the rivers coordinator on or before June 1 in order for it to be considered in the next legislative session. This nomination shall include, but not be limited to, an assessment of fisheries; geologic and hydrologic features; vegetation; wildlife; historical and archaeological features; open space and recreation features and potential; water quality and quantity; dams, hydropower generation, buildings, and other manmade structures; riparian interests and public water supply, including flowage rights known by the nominating individual or group, and other pertinent instream and riverbank and tributary drainage area information. The nominating party shall hold at least one public meeting on the information prior to final submittal to the commissioner. The department shall encourage the nominating party to include tributary drainage area information in the nomination. ***Nominations shall include identification of the stream order of each river or river segment proposed for designation and the provisions of RSA 483-B that apply to each segment.*** The nominating party shall advertise the meeting ***publicly*** in cooperation with the rivers coordinator and shall give written notice to riparian landowners and the governing body of any municipality where segments of the river are located. The rivers coordinator shall provide assistance to the nominating party in the presentation of the nomination at the public meeting.

Amend RSA 483:8, I(g) as inserted by section 14 of the bill by replacing it with the following:

(g) A representative of the conservation community [~~chosen from a list of 3 nominees submitted~~] **nominated** by the Society for Protection of New Hampshire Forests, ~~the~~ Audubon Society of New Hampshire, and the New Hampshire [~~Wildlife Federation~~] **Council of Trout Unlimited**. Amend RSA 483:8-a, III(b) as inserted by section 17 of the bill by replacing it with the following:

(b) To consider and comment on any federal, state, or local governmental plans to approve, license, fund, or construct facilities **or applications for permits, certificates, or licenses**, that [~~would~~] **may** alter the resource values and characteristics for which the river or segment is designated. Amend RSA 483:10, II (j) as inserted by section 31 of the bill by replacing it with the following:

(j) **State-owned lands within the corridor and tributary drainage areas thereof. The plan shall include a description of the importance of those lands to the characteristics for which the river was designated.**

Amend RSA 483:12-a, I as inserted by section 33 of the bill by replacing it with the following:

I. Any state agency considering any action affecting any river or segment designated under this chapter shall notify the rivers coordinator **and the local river management advisory committee** prior to taking any such action. Such agency shall forward to the rivers coordinator **and the local river management advisory committee** for review and comment copies of all notices of public hearings, or, where a public hearing is not required, a copy of the application for issuance of a permit, certificate, or license within the designated river or corridor under RSA 485-C, RSA 485-A, RSA 483-B, RSA 12-E, RSA 270:12, RSA 482, RSA 482-A, **except notifications for minimum impact activities under RSA 482-A:3, V and XII and for routine roadway maintenance under RSA 482-A:3, XVI on land used for agricultural purposes**, RSA 149-M, RSA 430, or RSA 147-A. If an agency is notified by the rivers coordinator that a proposed activity would violate a protection measure under RSA 483:9, 483:9-a, 483:9-aa, or 483:9-b, such agency shall deny the application. Amend the bill by replacing all after section 35 with the following:

36 New Hampshire Rivers Management and Protection Program; Definitions. Amend RSA 483:4, VIII to read as follows:

VIII. "Designated river" means that portion of a **perennial** river which has been specifically designated by the general court pursuant to RSA 483:15.

37 New Hampshire Rivers Management and Protection Program; Definitions. Amend RSA 483-B:4, XV to read as follows:

XV. "Protected shore land" means, for natural, fresh water bodies without artificial impoundments, for artificially impounded fresh water bodies, except private garden water features and ponds of less than 10 acres, and for coastal waters and rivers, all land located within 250 feet of the reference line of public waters. **For river segments of third order or lower designated as protected under RSA 483:15 which are either designated after or for which specific exemptions are repealed after December 31, 2015, "protected shore land" means all land located within 50 feet of the reference line of public water.**

38 Repeal. The following are repealed:

I. RSA 483:10-a, relative to long-range river management plans.

II. RSA 483:14, II, relative to state owned property included in a long-range river management plan.

39 Effective Date. This act shall take effect 60 days after its passage.

## AMENDED ANALYSIS

This bill:

I. Adds definitions for aquatic connectivity, fluvial geomorphology, and meander belt.

II. Expands the criteria for nomination of a river to the rivers management and protection program.

III. Changes the mechanism by which members of the rivers management advisory committee are selected.

## HB 1155, relative to providing choice of meters to customers of utilities. INEXPEDIENT TO LEGISLATE.

Rep. Douglas Thomas for Science, Technology and Energy. This bill would permit customers of utilities to choose whether to consent to the installation of smart meters and allow the utility to charge a surcharge to such customers at the completion of the installation period. This bill would produce confusion among customers as not all smart meters transmit using radio waves (the concern of some), but rather use the existing electric lines serving the customers' property, and it would only potentially benefit a few customers that have old meters. Affected utilities are currently working with customers who have concerns, so the committee felt this bill was not ready or needed. Vote 20-0.

**HB 1275**, relative to net energy metering capacity. **INEXPEDIENT TO LEGISLATE.**

Rep. John Mann for Science, Technology and Energy. This bill is unnecessary as its content and purpose are contained within HB 1116 which the committee is bringing forward with a positive recommendation. Vote 20-0.

**HB 1362**, requiring telephone notice where an electrical outage is expected to exceed 4 hours. **INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Richardson for Science, Technology and Energy. Requiring telephone notice to customers when an electrical outage is expected to exceed four hours is not an appropriate standard or practical means of notice in all situations, nor does it encompass the systematic approach needed to inform customers about outages and emergencies. Utilities already have plans in place to accomplish this which may include, depending on the circumstances, the use of various media outlets, phone call notifications, and communications with state and local authorities. In addition, utilities are working on making further improvements to take advantage of changes in technology and how people communicate. Vote 20-0.

**HB 1367**, relative to the public utility commission's authority to implement measures to increase the reliability, cost effectiveness, efficiency, or resiliency of the electrical grid. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Backus for Science, Technology and Energy. This bill would have waived any limitations under the Limited Electrical Energy Producers Act, RSA 362-A, regarding targeted net energy metering or to implement measures designed to increase grid reliability, efficiency, cost effectiveness, or overall resiliency of the electrical grid. Since the Public Utilities Commission currently has an open and active docket on grid modernization, the committee deemed this bill unnecessary. Vote 20-0.

**HB 1472**, relative to the siting of certain new pipelines and storage vessels. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. This bill would make it more difficult for gas transmission lines to be put in place. There was no testimony of any problems with gas transmission lines being damaged by frost heaves. Considering both the standard way they are buried with substantial overburden and the heat generated from the gas being compressed, there seems to be no issues of failure due to freezing. Therefore, the majority felt this bill unnecessary. Vote 17-1.

**HB 1483**, relative to community renewable energy. **INEXPEDIENT TO LEGISLATE.**

Rep. James Parison for Science, Technology and Energy. This bill would require electric utilities to sort out individual usage in a collective generation community (group net metering) and then bill each user separately. While this convenience may be a reasonable ask, the bill would also provide for reduced utility tariffs and create a targeted local tax exemption that would allow taking money from ratepayers and average town taxpayers and redistributing these funds to a list of special interests and projects the bill sponsors seem to think deserving. Since the local cash award decisions could be made by any two selectmen, the committee felt this bill if enacted would lead to favoritism and the corruption of an otherwise fair tax system. Vote 20-0.

**HB 1502**, establishing a committee to study odor emissions from landfills. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. After hearing testimony on the bill, it appears that the annual testing already being done at landfills shows that odors are well within the limits set by the state. Even though many complaints have been filed, it seems that only a couple of property owners downwind of the landfill made a majority of the complaints. While the committee understands the frustration of the property owners, the committee feels that studying this further will not solve the problem of being downwind of a landfill. Vote 20-1.

**HB 1449-FN**, relative to additional temporary supplemental allowances for retired members of the retirement system. **REFER FOR INTERIM STUDY.**

Rep. Gary Azarian for Special Committee on Public Employee Pension Plans. The committee was unanimous in recommending this bill be Referred for Interim Study. The committee agreed that there are retired persons in the system that could benefit from a temporary supplemental allowance (TSA). The committee wants more time to consider the amount of the TSA, who would qualify, the funding mechanism, and the total amount to be appropriated. The committee also believed that any appropriations to fund a TSA should follow standard legislative procedure and be referred to the Finance Committee as a second committee if the House votes to adopt the underlying policy. Vote 10-0.

**HB 1489**, establishing a committee to study the rates of employer contributions in the retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Special Committee on Public Employee Pension Plans. Establishing a committee to study the rates of employer contributions to the NH retirement system is not necessary. The information that this committee would gather is readily available now from the NHRS and legislating yet another study committee is not needed. Vote 9-0.

**CACR 24**, relating to the right to travel. Providing that all people have the right to travel within the state in their choice of privately owned conveyance. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. This amendment would do away with most of the motor vehicle laws. The committee does not support cancelling the requirements of licensing and registering trucks and automobiles, which would cost the state over \$93 million in lost revenue. Vote 18-0.

**HB 1102**, relative to travel on ways with 3 or more lanes. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill attempts to exclude commercial vehicles from traveling in the extreme lane on certain highways with three or more lanes. There are unanswered questions about open road tolling areas and additional signage costs, among others. No amendments were offered to address the issues. Vote 17-0.

**HB 1131**, relative to vehicles formerly used as ambulances. **INEXPEDIENT TO LEGISLATE.**

Rep. Karel Crawford for Transportation. This committee passed HB 196 (Ch. 63, Laws of 2015, RSA 266:78-r) last session which says a vehicle formerly used as an ambulance must have identifying features removed such as red forward and side emergency lights, etc. The majority of the committee agreed to let the law have time to work. Vote 14-3.

**HB 1151**, relative to after market tinting on side windows. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. This bill seeks to allow tinting on side windows. Legislation to allow this, in the form of HB 1445, has already been recommended by this committee, making this bill unnecessary. Vote 17-0.

**HB 1156**, relative to interference with traffic devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas Walsh for Transportation. This bill adds public transit bus operators to the list of exemptions from RSA 265:15, II(c) which prohibits using a device to change traffic signals. The amendment added a reference in subparagraph (d) as well. Repealing this prohibition allows stakeholders to study a system that could eventually be considered for future legislation and municipal approval. The bill and amendment do not create or even authorize implementation of such a system at this time. Vote 16-0.

#### **Amendment (0523h)**

Amend RSA 265:15, II(d) as inserted by section 2 of the bill by replacing it with the following:

(d) The exemptions set forth in subparagraphs (c)(1)-~~(c)(4)~~ (c)(5) shall only apply to such personnel when they are operating licensed ambulances, licensed fire apparatus, ~~or~~ government-owned vehicles, *or fixed route public transit buses*.

**HB 1157**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. RSA 265:79-c limits driving while using a mobile electronic device. Testimony by state police indicated that three years is an appropriate length of time to evaluate the impact on driver behavior. With RSA 265:79-c having only been implemented since July 2015, bills that modify the law without proper time to evaluate the impact on driver behavior hinder the effect of these laws. Vote 15-2.

**HB 1158**, relative to an exemption from the prohibition on the use of mobile electronic devices while driving. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. RSA 265:79-c limits driving while using a mobile electronic device. Testimony by state police indicated that three years is an appropriate length of time to evaluate the impact on driver behavior. With RSA 265:79-c having only been implemented since July 2015, bills that modify the law without proper time to evaluate the impact on driver behavior hinder the effect of these laws. Vote 15-2.

**HB 1161**, relative to the traffic safety commission. **OUGHT TO PASS WITH AMENDMENT.** Rep. Karel Crawford for Transportation. This bill reorganizes the Traffic Safety Commission and was requested by the Department of Safety. No one testified against this bill. The amendment changed the word “chairman” to “representative” and American Association of Retired Persons to “AARP.” Vote 17-0.

**Amendment (0649h)**

Amend RSA 238:10, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Representatives of the following organizations nominated by their respective organizations and appointed by the commissioner of the department of safety. Initial appointments shall be: 4 members for one year, 5 members for 2 years, and 5 members for 3 years. After the initial term, members shall each serve for terms of 3 years and until a successor is duly qualified and recommended by their respective organizations. Vacancies shall be filled for the unexpired terms in the same manner as the original appointment.

- (1) One member of the New Hampshire Association of Chiefs of Police.
- (2) One member of the New Hampshire Sheriffs Association.
- (3) One county attorney representing the New Hampshire Association of Counties.
- (4) The executive director of the New Hampshire Municipal Association.
- (5) One representative of the New Hampshire Automobile Dealers Association.
- (6) One representative of the New Hampshire Motor Transport Association.
- (7) One representative of the New Hampshire School Transportation Association.
- (8) One representative of the American Automobile Association of Northern New England.
- (9) One representative of the New Hampshire branch of AARP.
- (10) One representative of the New Hampshire Driver Education Teachers Association.
- (11) One representative of the New Hampshire Hospital Association.
- (12) One representative of the New Hampshire Association of Fire Chiefs.
- (13) One representative of the Granite State Wheelmen.
- (14) One representative of the Associated General Contractors of New Hampshire.

**HB 1162**, relative to eligibility for utility dealer registration. **INEXPEDIENT TO LEGISLATE.** Rep. Steven Smith for Transportation. This bill was well intended, but the stakeholders were unable to reach a consensus regarding collecting the fees from independent registration agents. Vote 18-0.

**HB 1186**, repealing the law prohibiting coasting of vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alan Cohen for Transportation. This law is unobservable by law enforcement and therefore unenforceable. It should be removed from the statutes. The amendment changes the effective date to date of bill passage. Vote 16-2.

**Amendment (0753h)**

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

**HB 1271**, making certain length and width exemptions concerning commercial vehicles. **OUGHT TO PASS.**

Rep. Larry Gagne for Transportation. This bill will establish additional length and width exemptions for commercial vehicles which will create parity between New Hampshire and neighboring states regarding commercial vehicle exceptions. Consistency among the states will help companies and others engaged in transportation to more efficiently and safely move goods between the states. This bill was requested by the Department of Safety. Vote 16-0.

**HB 1302**, relative to driver's license requirements for operation of a mixed use school bus. **OUGHT TO PASS.**

Rep. Gladys Johnsen for Transportation. This bill requires the operator of a commercial vehicle to hold a valid commercial driver's license. An operator of a mixed use school bus that qualifies as a commercial motor vehicle as defined in RSA 259:12-e shall hold a valid commercial driver's license pursuant to RSA 263:86 appropriate for the type and class of mixed use school vehicle being driven. This could be a coach or a choral director. Federal law requires a CDL when there are 15 or more passengers. The vehicle must be owned by the school or institution. Non-profit schools (i.e., charter) are exempt; they have different rules. This bill is supported by the Department of Safety. Vote 15-1.



**HB 1308**, allowing motorcycles to pass a vehicle in the same lane or travel between lanes of traffic in certain instances. **INEXPEDIENT TO LEGISLATE.**

Rep. Alan Cohen for Transportation. This bill allows motorcycles to pass vehicles in the same lane. This bill would also allow three-wheeled motorcycles to cut through slow traffic and create a huge logjam at red lights. The committee believes that this bill creates safety issues for motorcyclists and other drivers, and ignores the need to update right of way statutes. Vote 19-0.

**HB 1347**, establishing a committee to study sharing the road with bicycles and motorcycles. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Chirichiello for Transportation. This is a study bill in the second half of the session. While this topic may have merit, it would be best to bring this bill up in the new session which would provide a better chance for the committee to produce legislation. The committee also felt that the charge contained in the bill was too broad, and that the proposed study committee would lack focus. Vote 18-1.

**HB 1396**, relative to OHRV operation on certain highways in Grafton County. **OUGHT TO PASS.** Rep. George Sykes for Transportation. This bill will extend the allowable practice of OHRV operation on highways, if designated by the Department of Resources and Economic Development Bureau of Trails, and approved by the Department of Transportation, from just Coos County to also include Grafton County. This bill will help drive further economic activity in Grafton County. No highways will be approved as trail connectors without first following the procedures established in current statute. Vote 17-0.

**HB 1405**, repealing the prohibition on after market tinted glass in motor vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Karel Crawford for Transportation. This bill is one of three bills that repeal the prohibition on market-tinted glass in a motor vehicle. This committee passed a similar bill, HB 1445, that permits tinting at 35%. This is essentially a duplicate. Vote 17-0.

**HB 1421-FN**, relative to exemptions from certificate of title for a vehicle. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill seeks to reverse a law that has been in effect for just over a year. Starting in January 2015, titles are required on all vehicles from year 2000 and up. Proof of ownership, ability to get loans and safely being able to scrap old cars are just a few reasons this change had such wide support. The committee didn't hear any compelling reasons for changing the title requirement back to vehicles 15 years old. People who may lose or buy a vehicle with a missing title have a means through DMV to get it re-titled. Vote 18-0.

**HB 1452**, relative to motor vehicle laws applicable to diplomats and certain officials. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. In the 1980s a bill was passed that gave New Hampshire car registrations, free of charge, to members of the State Department, US Senators, and White House staff. The committee believes that these people can afford to register their cars. This bill adds those people to the cover plate statute. Like New Hampshire State Representatives, they can register their own cars and pay \$9 for cover plates. Vote 15-1.

**HB 1462**, relative to the height of a motor vehicle body and chassis. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill seeks to eliminate the minimum bumper height on motor vehicles. There was no testimony in favor. Car customizers have pneumatic and hydraulic options available to lower their cars for shows, while still complying with road regulations. Vote 17-1.

**HB 1469**, relative to the restriction of drivers' licenses for nonpayment of child support. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Dumais for Transportation. The Department of Motor Vehicles, the Department of Health and Human Services and New Hampshire Legal Assistance all opposed the bill. No one testified in support of the bill. Vote 19-0.

**HB 1649-FN**, relative to state inspection of new motor vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill would eliminate safety inspection requirements for cars under three years old. The bill makes no provision for OBD inspections necessary for compliance with the Clean Air Act. Further, illegal modifications to a new vehicle would not be discovered until an expensive violation ticket was written. Vote 17-1.

**HB 1101**, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines. **REFER FOR INTERIM STUDY.**

Rep. Richard Ames for Ways and Means. The New Hampshire Public Utilities Commission (PUC) is currently considering whether to allow electric utilities (also known as Electric Distribution Companies or EDCs) to enter into long term contracts acquiring gas transportation capacity on new high pressure natural gas pipelines. Such contracts, if approved by the PUC, would help finance pipeline development costs. The development costs covered by such an approved contract would then be recovered through involuntary assessments on the electric utility's customers or ratepayers. The central legal issue is whether or not such capacity acquisitions by EDCs would violate the state's electric utility restructuring principles as set out in RSA 374-F, particularly the principle calling for the functional separation of generating services, which are to be subject to open market competition, from transmission and distribution services, which are to continue under state regulation. In a January 19, 2016 order, the PUC stated that no consensus exists regarding the potential legality of such an acquisition of gas capacity by a New Hampshire EDC and that it expected that such a capacity acquisition and the related cost recovery would be highly controversial. HB 1101, both as originally filed and as clarified and focused in an amendment considered by the committee, would resolve this legal dispute by simply prohibiting the imposition of all such charges on ratepayers. On February 18, 2016, Eversource filed a petition requesting the PUC's approval of a 20-year interstate pipeline capacity acquisition contract. Similar proposals have been presented for approval in neighboring states. In these circumstances, retention of HB 1101 for interim study will allow the committee time to monitor over the next six months all legal developments relating to these pipeline capacity acquisition contracts here in New Hampshire and in neighboring states. Also, during this time, the committee will be able to gain a better understanding of the likely impact of these pipeline developments on natural gas prices, electric utility pricing, and carbon emissions in New Hampshire. Whichever way the PUC comes out on the basic question of the legality or illegality of the pipeline acquisition contracts, a committee report in October 2016 on whether or not further legislation is needed will be based on far better information than is now available. Vote 21-0.

**HB 1197**, relative to conservation number plate funds. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill was brought forth by the State Treasurer. It amends statutes related to the Land and Community Heritage Investment Program (LCHIP) to reflect that the State Treasurer has no involvement in the administration of this program as current statutes imply. The allocation of funds from the conservation fund plate is the responsibility of the Commissioner of Safety and not the State Treasurer. In addition, the establishment of the fund known as the Land and Community Heritage Investment Program Administrative Fund is the responsibility of the New Hampshire Land and Community Heritage Investment Authority and not the State Treasurer. The other major change is modifying any language referring to a trust fund to simply a fund, since these funds are not trust funds. There was no testimony in opposition to these changes. Vote 20-0.

**HB 1199**, allowing adults to play children's bingo at private campgrounds or hotels. **OUGHT TO PASS.**

Rep. Joseph Lachance for Ways and Means. This bill updated the law regarding special bingo games for children at a private campground or hotel. Specifically, any person over the age of 18 may play the game for the purpose of supervising the child or children he or she is with, however such adult shall not be eligible to win. The card such adult is playing shall be marked in such a way that the bingo attendant is able to identify it as not eligible to win under this paragraph. Vote 17-0.

**HB 1208-FN**, relative to administration of the tobacco tax. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill makes technical and clarifying changes to RSA 78, Tobacco Tax laws, which include changing the definition of "premium cigar," adding needed definitions, removing references to "metering machines," and clarifying activities which constitute unauthorized sales of tobacco products. In addition this bill adds a requirement for records of tobacco stamps sold to wholesalers and tobacco products distributed, and provides for consumer reporting on Internet sales and out of state purchases and payment for same. The definition of "premium cigar" is amended to remove the dollar criterion of \$2.00 or more. This bill was previously passed by the House in 2015 (HB 550). Vote 20-0.

**HB 1254-FN-L**, providing an exemption from the business profits tax and the business enterprise tax for certain manufacturing businesses. **INEXPEDIENT TO LEGISLATE.**

Rep. Bill Ohm for Ways and Means. This bill would provide a 15-year exemption from business taxes to certain entities in several counties. The committee feels that selective tax exemptions are not good policy, and that other entities in other counties would be discriminated against, raising constitutional questions. Vote 19-0.

**HB 1258-FN**, establishing exemptions from the business profits tax and business enterprise tax for new businesses in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for Ways and Means. This bill attempted to create a carve-out from the Business Enterprise Tax and Business Profits Tax for new businesses in New Hampshire. The intent was to encourage new business openings in the Granite State. Unfortunately the wording was difficult in several areas. The constitutional mandate that taxes in New Hampshire be equitable and proportionate would have required creating a new class of taxable entity, a "new business." While the definition in the bill required a different North American Industry Classification System code for each enterprise, there was nothing to effectively prevent dissolution and reforming at the expiration of the exemption. Thus the definition of "new business" was not as complete as necessary. Also contained in the bill was wording that left to a bureaucracy the requirement of determining what "good citizenship" and contributing to the economy of New Hampshire entailed. The Department of Revenue Administration was also concerned about the administrative practices and costs of monitoring and evaluating the internship programs contained in the bill. In addition the illicit practice of creating a hiring preference for New Hampshire residents was included. Vote 19-0.

**HB 1289**, making technical corrections to certain tax laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. This bill was brought forth by the Department of Revenue Administration (DRA). This bill makes nine technical corrections to a variety of statutes related to taxes. The committee heard testimony on each change and questioned the DRA on each before moving to the next. They did respond to all the committee's questions to its satisfaction. There was one small amendment to the original bill that clarified issues brought up during the public hearing. No one testified against these changes. None of these changes will have an impact in any way on state revenue going forward. Vote 20-0.

#### **Amendment (0181h)**

Amend the bill by replacing section 7 with the following:

7 New Paragraph; Nursing Facility Quality Assessment; Rulemaking. Amend RSA 84-C:9 by inserting after paragraph I the following new paragraph:

I-a. The commissioner may adopt rules, pursuant to RSA 541-A, relative to exceptions to the requirement of RSA 84-C:5, I that payment be made by electronic transfer in instances when a nursing facility is unable to remit payment to the state treasurer by electronic transfer.

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 13:

11 Reference; Multistate Tax Commission Audits. Amend RSA 21-J:3, XXXI to read as follows:

XXXI. Have the authority, subject to appropriation, to contract with the Multistate Tax Commission for participation in audits performed by the Multistate Tax Commission on behalf of member states. While under contract with the state, the Multistate Tax Commission shall be an authorized agent of the commissioner for the purposes ~~[RSA 21-J:14-e]~~ of paragraph IX.

12 Real Estate Transfer Tax; Declaration of Consideration. Amend RSA 78-B:10, I(b) to read as follows:

(b) Contain a space immediately below the statement in subparagraph (a) for the dated ~~[and witnessed]~~ signature of the purchaser, grantee, assignee, or transferee of the deeded real estate on their respective declaration of consideration and for the dated ~~[and witnessed]~~ signature of the seller, grantor, assignor, or transferor of the deeded real estate on their respective declaration of consideration.

#### **AMENDED ANALYSIS**

This bill makes technical corrections regarding rulemaking authority and reporting and payment dates to certain tax laws. The bill removes a requirement for witnessed signatures on declaration of consideration reports under the real estate transfer tax. The bill repeals the law establishing the division of automated information systems.

This bill was requested by the department of revenue administration.

**HB 1290**, relative to filing dates for business taxes. **OUGHT TO PASS WITH AMENDMENT.** Rep. Don Leeman for Ways and Means. This bill was requested by the Department of Revenue Administration (DRA) and calls for a change of the due dates for filing returns for both the Business Profits Tax and the Business Enterprise Tax. The bill makes these changes so as to comply with the federal due dates for partnership and corporate tax returns. The bill also makes one technical correction, as was explained to Ways and Means by the DRA. The amendment resolves the issue of when the bill applies, starting with taxable periods after December 31, 2015. Vote 20-0.

**Amendment (0149h)**

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:  
4 Applicability. The provisions of this act shall apply to taxable periods beginning after December 31, 2015.

**HB 1385-FN-A**, relative to the sale or exchange of an interest in a business organization under the business profits tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia Lovejoy for Ways and Means. This bill corrects a flaw in our tax system. NH taxes partnerships, Sub Chapter S corporations and (Limited Liability Companies) LLC's differently than does the federal government and the vast majority of states. The federal government and most states treat all net income or loss from one of these entities as a pass through to the owner's personal tax returns. Since NH does not have a personal income tax, NH taxes the entity with both Business Enterprise Tax and Business Profit Taxes (BPT). When an interest in one of these types of organizations is sold for more than the owner's basis, NH imposes BPT on the PURCHASER not the SELLER for the difference between sales price and the seller's basis. In return the purchaser gets to record the assets purchased at their purchased price, not the previous owner's basis. This is referred to as a step-up in basis. The Business Tax Commission had identified this situation as a flaw that hurts NH's competitive basis, and significantly disadvantages small businesses, especially start-up businesses. This bill gives the purchaser the choice between not paying the tax and therefore not getting the step-up in basis or paying the tax and getting the step-up in basis. The amendment changes the default from paying the tax to not paying the tax if the taxpayer neglects to select an option on their tax return. This provides needed flexibility for NH businesses. Vote 20-1.

**Amendment (0828h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Sale or Exchange of an Interest in a Business Organization. RSA 77-A:4, XIV is repealed and reenacted to read as follows:

XIV.(a) In the case of a business organization where an ownership interest in the business organization is sold or exchanged and the transaction, for federal income tax purposes results in an increase in the basis of the assets for one or more of the parties to the transaction, the business organization shall:

(1) Add to the gross business profits of the business organization, for each taxable period, an amount equal to the annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and

(2) Calculate the gain or loss on the sale or other disposition of an asset without regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.

(b) A business organization may, for a particular sale or exchange, make an irrevocable election on a timely filed return including any extension period, to recognize the basis increase of the assets for one or more of the parties to the transaction for federal income tax purposes. Such business organization for the purposes of the business profits tax shall:

(1) Be required to make an addition to gross business profits of the business organization equal to the net increase in the basis of all assets transferred or sold in the tax period in which the sale or exchange of the ownership interest occurs;

(2) Be allowed a deduction against its gross business profits for annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and

(3) Calculate the gain or loss on the sale or other disposition of an asset with regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.

2 Applicability. This act shall take effect for sales or exchanges of interests in business organizations that occur on and after January 1, 2016.

3 Effective Date. This act shall take effect upon its passage.

**HB 1391**, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels. **OUGHT TO PASS.**

Rep. Brian Gallagher for Ways and Means. This bill raises the limit on the price paid per bingo card at senior bingo. This bill also sets limits on payouts for senior bingo and bingo at private campgrounds and hotels. Testimony was received that every penny collected would go back to the players and that more people could play and avoid being turned away. The change in limit was noted as an adjustment due to inflation, the prize changes are permissive and not mandatory. Vote 17-0.

**HB 1436-FN**, relative to exemption from the yield tax on timber for clearing for solar energy. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Almy for Ways and Means. This bill emerged from the problem of a single constituent, but the current and prior chief assessor of the Department of Revenue Administration said current law is clear that no tax is due the town or state when the trees cut are near the house. As they explained, the "value on the stump" that triggers an intent to cut form and local Timber Tax is the amount that a third party would pay the landowner to be able to cut and remove a tree. Since small numbers of trees near houses cost more to cut and remove than they can be sold for, their value is negative, and no tax is levied. Vote 20-0.

**HB 1488**, establishing a commission to review and make recommendations for the recodification of RSA 284 and RSA 287-D. **INEXPEDIENT TO LEGISLATE.**

Rep. Bill Ohm for Ways and Means. This bill proposed a study commission to review and make recommendations regarding statutes dealing with horse and dog racing and games of chance. No one testified in support of the bill, and the Lottery Commission is opposed, because Racing & Charitable Gaming is merging with the Lottery Commission, and this could be premature. The committee sees no need for this bill at this time. Vote 17-0.

**HB 1498**, repealing the prohibition on certain gambling. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. This bill seeks to repeal RSA 647:2 which, if enacted, would allow all forms of gambling in NH. The bill makes no provision for rules, rulemaking authority, regulation or oversight. If NH decides to expand gaming, this certainly would not be the model. The Attorney General also expressed opposition. Vote 17-0.

**HB 1538-FN-A**, relative to revising the business enterprise tax as a business flat tax, reducing the rate of the interest and dividends tax, repealing certain taxes, and establishing a commission to recommend statutory changes for the implementation of this new tax structure. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. This bill seeks to repeal the Business Profits Tax, Business Enterprise Tax and the Medicaid Enhancement Tax. It also reduces the rate of the Interest and Dividends Tax by implementing a Business Flat Tax. The bill also establishes a commission to recommend statutory changes for the implementation of this new tax structure. The legislation would nullify the exemption for schools and non-profits. Additionally, the bill would subject state departments and political subdivisions to the Business Flat Tax. Vote 19-0.

**HB 1544-FN-A-L**, establishing a tax on revenues from natural gas transmission. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Gallagher for Ways and Means. This bill establishes a tax on revenues received under contracts for natural gas transmission via in-state pipelines. No information could be provided on revenues which could potentially be subject to this tax. Pursuant to Federal Energy Regulatory Commission (FERC) regulations, any such tax would be considered an allowed cost of service item and thus recoverable in future rate structures over which FERC has jurisdiction. Strong opposition was expressed to this proposal from the Nashua Chamber of Commerce. Vote 21-0.

**HB 1545-FN**, relative to Lucky 7 tickets. **REFER FOR INTERIM STUDY.**

Rep. Bill Ohm for Ways and Means. This bill would authorize charitable gaming organizations to increase the denomination of Lucky 7 tickets from 50 cents to \$1, and permit electronic

dispensers of such tickets to only dispense a paper ticket on request. The committee feels that these electronic dispensers already look, feel and act like slot machines, and the proposed changes would only enhance the effect. While the committee heard testimony that such machines are legal, they believe that they are contrary to legislative intent. Approximately 350 of these machines are installed, none recently. Refer for Interim Study is recommended to review what, if anything should be done with this type of device. Vote 21-0.

**HB 1554-FN, establishing a state sports lottery. INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. This bill called for the introduction of sports lottery into the portfolio of New Hampshire Lottery games. Although there were members intrigued by the idea of having a lottery tied to actual athletic events, there were several major reasons that this was not felt to be a good idea at this time. There are only a few states with this type of lottery game in place with the most prominent being Delaware. There is ongoing major litigation that we would have the potential of being drawn into if this bill were to pass and be signed into law. It was felt that the timing of the filing of this bill was not good. Once other states have cleared the legal hurdles it would lead to a clearer path for New Hampshire to consider this type of lottery game on its merits. With this said the bill also needed work to make it acceptable to the committee. One major item was the bill called for the game to be tied to both professional and collegiate sporting events. There was no appetite on the committee to have this game tied to collegiate sporting events. Vote 19-0.

**HB 1572-FN, establishing a broadband deployment tax credit incentive program against the business profits tax and the business enterprise tax. REFER FOR INTERIM STUDY.**

Rep. Gary Azarian for Ways and Means. This bill called for tax credits of up to \$2 million for broadband companies to provide Internet and broadband service in areas of the state where such service is unavailable. There is high site cost for construction to provide service in remote areas. The committee will study this issue to help better understand whether issuing credits is the best way to move forward in providing broadband and Internet service to these areas. Vote 21-0.

**HB 1650, relative to limits in table stakes poker. REFER FOR INTERIM STUDY.**

Rep. Patrick Abrami for Ways and Means. This bill attempts to correct language in a statute that was passed last term (HB 169, Chapter 160, Laws of 2015) related to how table stakes poker games shall be played at charitable gaming facilities across the state. This committee's Inexpedient to Legislate recommendation was overridden on the House floor last term. This statute led to an open-ended amount of money being bet at our charitable gaming establishments. Our charitable gaming facilities had crossed the line into the world of true casinos. To stem the tide, the Lottery Commission published a policy which took effect on September 25, 2015 which, in the short run, has stabilized how last year's statute was being interpreted. The committee attempted to use the commission's guidelines as a template for amending the underlying bill. It became clear that as the committee dug deeper into how the game of poker is played and the betting schemes that more time was required. The committee was comfortable with the Lottery Commission's policies in place and their policing of these policies that the initial crisis had passed and that there was time for the committee to take a more expansive examination of the whole issue. This resulted in a motion to Refer for Interim Study to examine all aspects of table stakes poker and how it should be played at our charitable gaming facilities. Vote 21-0.

**HB 1656-FN, relative to exceptions to the real estate transfer tax. OUGHT TO PASS.**

Rep. Gary Azarian for Ways and Means. This bill creates an exemption from the Real Estate Transfer Tax for transfers of like ownership. For example, if an individual or couple who own property wishes to transfer that property to an LLC or trust with like ownership for estate planning purposes. With this bill this type of transfer would be exempt from the Real Estate Transfer Tax. Vote 20-0.

**HB 1689, relative to operator requirements under the meals and rooms tax. OUGHT TO PASS.**

Rep. Jordan Ulery for Ways and Means. This bill seeks to inventory taxable rental property to help the Department of Revenue Administration to identify units that would be subject to the Meals and Rooms Tax assessment. Each rental business already, as part of their business operations, maintains a list of rental properties. This bill merely creates a basis from where taxes are due. The committee felt that this requirement would not be burdensome to the industry. Vote 21-0.

**REGULAR CALENDAR**

**CACR 17**, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for the Majority of Election Law. For most of the history of our state, it was understood that a person had to be a resident of New Hampshire in order to vote here. However, in recent years, the law has been interpreted to permit people who are residents of other states to vote in our elections if they claim they are domiciled somewhere in the state for voting purposes. This policy was litigated in *Guare vs. the State of New Hampshire*. On July 24, 2014, Superior Court Judge Brian Tucker issued an order in which he stated, in part "a citizen need not be a resident of New Hampshire in order to vote in this state." The state appealed to the New Hampshire Supreme Court and lost. This proposed constitutional amendment will require voters in this state to be residents of New Hampshire. It inserts after Part I, Article 11, one sentence that says "[Only Residents May Vote.] No person may establish a domicile for the purpose of voting unless he or she is a resident of the town, ward, or unincorporated place where he or she seeks to vote." No testimony was offered in the committee stating any reason why any resident of another state should be permitted to vote in our elections. Residency is not a requirement to remain in the state permanently. This constitutional amendment protects the votes of all legitimate residents of our state from being diluted by the votes of people who are not residents of New Hampshire. Vote 11-7.

Rep. Wayne Burton for the Minority of Election Law. By redefining domicile as residence, this proposed amendment to our state constitution will have the effect of disenfranchising those coming to NH as college students, veterans seeking services, and medical professionals on interim appointments, for example, through requiring a permanency standard deemed constitutionally unacceptable by the US Supreme Court. Changing settled law in ways that reduce voter turnout, now among the highest in the country, diminishes our exemplary status of which our forebears would be proud.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Bates spoke in favor.

Rep. Burton spoke against.

Rep. Hinch requested a roll call; sufficiently seconded.

**YEAS 188    NAYS 135**

**YEAS - 188****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Russell, David

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Flanders, Donald  
Hurt, George  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin

Brown, Duane  
Hull, Robert

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart	Gagne, Larry
Gould, Linda	Griffin, Barbara	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Sweeney, Shawn	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Wolf, Terry	Zaricki, Nick	

**MERRIMACK**

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian
Walsh, Thomas			

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Barnes, Arthur	Bates, David	Bush, Carol	Cardon, G. Thomas
Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Friel, William	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Lundgren, David	Major, Norman	Matthews, Carolyn
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Sweeney, Joe
Thomas, Douglas	Tilton, Rio	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

**SULLIVAN**

Grenier, James	Laware, Thomas	Rollins, Skip	Smith, Steven
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**NAYS - 135**

**BELKNAP**

Fisher, Robert

**CARROLL**

Buco, Thomas	Butler, Edward	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Frobург, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Almy, Susan  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Maes, Kevin  
Sykes, George

Ford, Susan  
Massimilla, Linda  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Cote, David  
Freitas, Mary  
Heath, Mary  
Leishman, Peter  
O'Neil, William  
Shattuck, Gilman  
Soucy, Timothy

Brown, Pamela  
DiSilvestro, Linda  
Goley, Jeffrey  
Herbert, Christopher  
Mangipudi, Latha  
Porter, Marjorie  
Shaw, Barbara  
Vann, Ivy

Cohen, Alan  
Edwards, Elizabeth  
Gorman, Mary  
Jack, Martin  
Manley, Jonathan  
Roberts, Carol  
Smith, Timothy  
Walsh, Robert

Cornell, Patricia  
Forest, Armand  
Harvey, Suzanne  
Jeudy, Jean  
McNamara, Richard  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Simpson, Alexis

Borden, David  
DiFranco, Debbie  
Lovejoy, Patricia  
Ward, Gerald

Cahill, Michael  
Francesce, Paula  
McBeath, Rebecca

Cali-Pitts, Jacqueline  
Gordon, Pamela  
Pantelakos, Laura

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
DiSesa, Len  
Smith, Marjorie  
Treleaven, Susan

Bixby, Peter  
Horrigan, Timothy  
Southworth, Thomas  
Wall, Janet

Burton, Wayne  
Kaen, Naida  
Spang, Judith  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Schmidt, Andrew

Gagnon, Raymond

Gotting, Suzanne

and the majority committee report failed lacking the necessary three-fifths.

**MOTION TO LAY ON THE TABLE**

Rep. Shurtleff moved that **CACR 17**, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting, be laid on the table. Motion adopted.

**MOTION TO SPECIAL ORDER**

Rep. Hinch moved that **SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission, be made a Special Order as the next order of business.

Motion adopted.

**SPECIAL ORDER**

**SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development. In 2003, New Hampshire brought suit against companies distributing methyl tertiary-butyl ether (MTBE) in the state, causing contamination of its waters. MTBE was banned in the state in 2007. Most companies settled out of court, but Exxon contested the suit. The case is now close to being finished in the court system, and when a settlement is received, we need to be prepared to administer the funds. There is a goal to be sure the settlement is used for its intended purposes which are water protection and remediation of contaminated sites. This bill establishes such a fund in the custody of the State Treasurer and establishes an 11 member advisory commission to oversee the use of the funds. The commission will report annually on its operations and progress. Vote 18-0.

Rep. Kurk offered floor amendment (0940h).

**Floor Amendment (0940h)**

Amend the introductory paragraph of RSA 485-F:3, I as inserted by section 2 of the bill by replacing it with the following:

I. The department shall administer the drinking water and groundwater trust fund through the MTBE remediation bureau. Subject to the approval of the fiscal committee of the general court, trust fund proceeds sufficient to fund the department's MTBE remediation bureau and qualifying projects shall be transferred to the department and maintained in a separate, nonlapsing account, continually appropriated to the department for the purpose of paying all costs of this program. The department shall:

Rep. Kurk spoke in favor and yielded to questions.

Floor amendment adopted.

Committee report adopted and ordered to third reading.

**MOTION TO PRINT DEBATE**

Rep. Shurtleff moved that the debate on **SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

**DEBATE ON SB 380**

**Speaker Jasper:** The Chair recognizes Rep. Kurk to offer floor amendment (0940h) and to speak to his motion.

**Representative Kurk:** Thank you, Mister Speaker. Mister Speaker, this bill sets up a fund consisting of the entire amount of money awarded to the State of New Hampshire in the Exxon case and requires the money to be spent for MTBE remediation and other water type projects. The way the bill is set up, the Department of Environmental Services has total control over what happens to the money, without any review, and there are no standards set up in the bill for them to operate. For a variety of reasons, I think that's inappropriate so this amendment inserts the language, "subject to the approval of the Fiscal Committee," so that at least there's some legislative involvement in spending \$200 million. This language has been vetted by various parties and it does not affect the reason for the introduction of this bill. Thank you, Mister Speaker.

**Speaker Jasper:** Will the member yield to a question? Rep. Lynne Ober, you may inquire.

**Representative Lynne Ober:** Thank you for taking my question. Normally a bill that spends money would be coming to Finance as a second committee. Is that true with this situation, and if no, would you explain please?

**Representative Kurk:** The answer is no and I think any explanation needs to come from the Speaker.

**Speaker Jasper:** I will answer the question. This bill would not be referred to Finance, as it does not involve state funds, any appropriations from the state. This is actually dealing with a settlement and that's why it would not go to Finance. Representative Marjorie Smith, you may inquire. Will the member yield to a question? Rep. Smith, you may inquire.

**Representative Marjorie Smith:** Thank you, Mister Speaker. Representative, is there anything in the language of your amendment that could interfere with all of the funds that may come out of this settlement being spent for the stated purposes?

**Representative Kurk:** No, this amendment will not change the purpose for which the funds can be spent. It only allows the department to spend those funds with the approval of the Fiscal Committee, but only for the purposes set forth in the bill.

**Speaker Jasper:** Thank you. By way of further explanation to the House, as you notice, this is a Senate Bill. This bill is being fast-tracked due to the fact that the whole issue with the groundwater contamination is in litigation. There is a question of will the state just take the money and spend it for any purpose. This locks it into the purpose for which the settlement would take place and the decisions are expected at the end of the month and so this language is necessary for the settlement to take place. Rep. Kurk? Member yields, you may inquire.

**Representative Spang:** Thank you, Mister Speaker. Thank you to the Representative from Weare. That's alright, it's just the introductions. Just to put a finer point on it. I think it is essential that we make sure that this bill goes through as cleanly as possible. When Exxon-Mobil was arguing against giving this money to the State of New Hampshire, they argued that the state has a habit of taking money that has been dedicated to something and putting it into something else. They were arguing that we would do the same...

**Speaker Jasper:** Will the member please suspend? The member was recognized for a question.

**Representative Spang:** So, I'm asking Rep. Kurk what this amendment would do in terms of undermining that, or supporting that argument by Exxon-Mobil that we are going to put anything in the way of this money being spent strictly for MTBE? Thank you.

**Representative Kurk:** Thank you for the question. I can assure the member that there is nothing in this amendment which would allow the Fiscal Committee to divert the money to any other purpose. The only thing the Fiscal Committee is doing is approving or not approving the proposal from the department. It is a very minor approval in one sense, but a very important one to make sure that the department's actions are at least reviewed to some extent by the legislature through the Fiscal Committee. I don't like putting the Fiscal Committee in this kind of a position because these decisions should be made by all of us, not a group of ten, but considering the circumstances, this was the least offensive way that we could introduce the legislature into the process without in any way affecting the fact that the funds will only be used for remediation and water purposes as set forth in the bill itself. I can't think of any way to divert the money as a result of this amendment, so I'm very comfortable in assuring you and anyone else that will not happen as a result of this amendment.

**Speaker Jasper:** The Chair will state that this language has been vetted by all parties concerned and is acceptable to all parties. Does the member yield to a further question? Member yields, you may inquire.

**Representative Cooney:** I see from the blurb, that there is established an eleven-member advisory commission to oversee the use of the funds. I don't have the bill in front of me so I don't know how those are established. Wouldn't that be sufficient?

**Representative Kurk:** Thank you for the question. The advisory committee simply receives reports and has no impact on how the funds are spent. It is to provide information back to the legislature, but has no role in the determination of the purposes for which the funds are used, the particular program or anything like that. It's not like the commission is giving advice to the commissioner.

**Speaker Jasper:** The Chair is going to make a point of clarification when I said all parties. I was referring to the State of New Hampshire. The Attorney General has vetted this language and is acceptable to the Attorney General and to the Department of Environmental Services so those are the parties and is necessary to make that clarification. Are you ready for the question? All those in favor, signify by saying, Aye; those opposed, Nay. The Ayes have it and the amendment is adopted.

### THIRD READING MOTION

Reps. Hinch and Shurtleff moved that **SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission, be read a third time and passed at the present time.

Adopted by the necessary two-thirds vote.

**REGULAR CALENDAR CONT'D**

**CACR 23**, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Hoelzel for the Majority of Election Law. The NH Constitution requires that the selectmen be present at the time the polls are opened and when the ballots are counted. This mandate imposed upon communities has become burdensome for local officials in recent years. This proposed amendment to the state constitution repeals the requirement that selectmen be present during voting. Their presence would continue to be required when votes are counted. The selectmen also provide notice of the meeting and the meeting is “governed” by the moderator. The moderator is authorized by statute to appoint election officials as he or she deems necessary. Integrity of the ballot box is of utmost importance and that can be accomplished by trusted appointed election officials who have been properly trained. Vote 11-7.

Rep. Wayne Moynihan for the Minority of Election Law. Without a good reason, this bill proposes the initiation of the important, complicated, and cumbersome process of amending our State’s Constitution. The bill wants to change the constitution to eliminate the duty it imposes upon town selectmen to be present “in open meeting” to “receive the votes of all the inhabitants.” This duty has been generally construed to mean that, not all, but at least a “quorum” of the board of selectmen must be present at the voting place during elections. The bill was presented on behalf of an unknown number of selectmen, with the claim that it is burdensome and unnecessary for them to be present at elections; and that the obligation may conflict with their work lives and other activities. While there was no mention of it by the sponsors or witnesses at the public hearing, the committee learned that less than 90 days ago, in November 2015, the Governor signed into law HB 331. In 2015, HB 331 was introduced, considered by committees, and passed by both the House and the Senate. HB 331 allows selectmen to appoint substitutes, or selectmen pro tem to stand in for them on election days when they cannot be present. It is much more sensible and much better public policy to allow the just enacted HB 331 to have some time to operate before it is changed; especially by means of an amendment to the NH Constitution.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Moynihan spoke against.

Rep. Hunt spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 169 NAYS 164**

**YEAS - 169**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Russell, David	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert			

**CARROLL**

Avellani, Lino	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Schmidt, Stephen
Umberger, Karen			

**CHESHIRE**

Bordenet, John	Hunt, John	McConnell, James	Phillips, Larry
Sterling, Franklin			

**COOS**

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Johnson, Eric	Ladd, Rick	

**HILLSBOROUGH**

Adams, Christopher  
 Biggie, Barbara  
 Christie, Rick  
 Estevez, Eric  
 Griffin, Barbara  
 Kurk, Neal  
 McCarthy, Peggy  
 Murotake, David  
 Ober, Russell  
 Pierce, David  
 Sanborn, Laurie  
 Takesian, Charlene  
 Zaricki, Nick

Balcom, John  
 Boehm, Ralph  
 Donovan, Daniel  
 Flanagan, Jack  
 Haefner, Robert  
 Lachance, Joseph  
 McClarren, Donald  
 Murphy, Keith  
 Ohm, Bill  
 Proulx, Mark  
 Seidel, Carl  
 Twombly, Timothy

Barry, Richard  
 Byron, Frank  
 Eastman, Eric  
 Gagne, Larry  
 Hinch, Richard  
 LeBrun, Donald  
 McLean, Mark  
 Notter, Jeanine  
 Palmer, Barry  
 Rice, Kimberly  
 Simmons, Tammy  
 Ulery, Jordan

Belanger, James  
 Christensen, Chris  
 Edelblut, Frank  
 Gould, Linda  
 Hogan, Edith  
 Marston, Dick  
 Moore, Josh  
 Ober, Lynne  
 Peterson, Ken  
 Rouillard, Claire  
 Sweeney, Shawn  
 Wolf, Terry

**MERRIMACK**

French, Harold  
 Kidder, David  
 Marple, Richard  
 Parent, Jason

Hess, David  
 Kotowski, Frank  
 Martin, John  
 Seaworth, Brian

Hill, Gregory  
 Kuch, Bill  
 McGuire, Carol  
 Walsh, Thomas

Horn, Werner  
 Long, Douglas  
 McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
 Barnes, Arthur  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Major, Norman  
 Nigrello, Robert  
 Packard, Sherman  
 Sytek, John  
 Vose, Michael  
 Weyler, Kenneth

Abramson, Max  
 Belanger, Ronald  
 Christie, Andrew  
 Devine, James  
 Gannon, William  
 Harris, Jeffrey  
 Introne, Robert  
 McKinney, Betsy  
 O'Connor, John  
 Potucek, John  
 Tilton, Rio  
 Ward, Joanne  
 Woitkun, Steven

Allen, Mary  
 Bush, Carol  
 Cook, Allen  
 Doucette, Fred  
 Green, Dennis  
 Heffron, Frank  
 Kappler, Lawrence  
 McMahon, Charles  
 Oigny, Jeffrey  
 Schroadter, Adam  
 True, Chris  
 Webb, James

Azarian, Gary  
 Cardon, G. Thomas  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Griffin, Mary  
 Hodgdon, Bruce  
 Katsakiores, Phyllis  
 Milz, David  
 Osborne, Jason  
 Sweeney, Joe  
 Tucker, Pamela  
 Welch, David

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Jr., Thomas

Bickford, David  
 Groen, Warren  
 Knowles, Robert

Cheney, Catherine  
 Hannon, Joseph  
 Leeman, Don

Graham, Robert  
 Jones, Laura  
 Wuelper, Kurt

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 164****BELKNAP**

Fisher, Robert

**CARROLL**

Buco, Thomas  
 Ticehurst, Susan

Butler, Edward

Comeau, Ed

Parker, Harold

**CHESHIRE**

Abbott, Michael  
 Eaton, Daniel  
 Parkhurst, Henry  
 Shepardson, Marjorie

Ames, Richard  
 Johnsen, Gladys  
 Pearson, William  
 Tatrow, Bruce

Berch, Paul  
 Ley, Douglas  
 Robertson, Timothy  
 Tilton, Benjamin

Chase, Cynthia  
 Mann, John  
 Sad, Tara  
 Weber, Lucy

**COOS**

Froburg, Alethea	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Ammon, Keith	Backus, Robert	Brown, Pamela	Burt, John
Christiansen, Lars	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Edwards, Elizabeth
Ferreira, Elizabeth	Forest, Armand	Freitas, Mary	Fromuth, Bart
Goley, Jeffrey	Gorman, Mary	Halstead, Carolyn	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hopper, Gary
Jack, Martin	Jeady, Jean	Leishman, Peter	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Neil, William	Pellegrino, Anthony
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Gregory	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Vann, Ivy	Walsh, Robert
Williams, Kermit			

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hoell, J.R.	Karrick, David	Kenison, Linda
Luneau, David	Mackay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah		

**ROCKINGHAM**

Bates, David	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Ferrante, Beverly
Francesse, Paula	Friel, William	Gordon, Pamela	Gordon, Richard
Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David	Matthews, Carolyn
McBeath, Rebecca	Pantelakos, Laura	Peckham, Michele	Prudhomme-O'Brien, Katherine
Rice, Frederick	Simpson, Alexis	Thomas, Douglas	Ward, Gerald

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Mullen, John
Pitre, Joseph	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gotting, Suzanne
Irwin, Virginia	Schmidt, Andrew		

and the majority committee report failed lacking the necessary three-fifths vote.

**MOTION TO LAY ON THE TABLE**

Rep. Shurtleff moved that **CACR 23**, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes, be laid on the table.  
Motion adopted.

**REGULAR CALENDAR CONT'D**

**HB 1313-FN**, relative to eligibility to vote and relative to availability of voter information. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Gannon for the Majority of Election Law. The majority of the committee believes that requiring that a voter be a resident of the state for at least 10 days is constitutional. Currently, it has been shown that there are numerous examples of out-of-state voter fraud that dilute the NH vote and are causing a loss of faith in the very integrity of the NH voting process itself. Idaho has same-day voter registration, just as NH does, with a 30-day durational residency requirement. Expanding the definition of domicile is constitutional and will guarantee that the people of NH alone choose NH elected officials. Vote 11-7.

Rep. Wayne Moynihan for the Minority of Election Law. For those who have been a part of this legislative body for the last few terms, the content and purpose of this bill amounts to "deja vu all over again." The NH Constitution establishes that a citizen may vote wherever he or she is "domiciled." This bill seeks to require a citizen to prove their "residency" before being able to exercise their right to vote. As with bills in the past, this bill seeks to conflate the meaning of these two words so as to limit the fundamental right to vote. The bill would enable a town or city clerk to examine documents such as income tax filings, hunting and fishing license applications, passport applications, and history of military service. It enables a clerk to inquire as to where a citizen spends his or her nights. The official may examine any federal identification, or driver's licenses to establish whether one is eligible to vote, and to confirm that the "residency" has existed for ten days. The history of court decisions clearly establishes that, unless bureaucratic processing requires some number of days of time to complete, no durational residency requirement may be imposed upon the right to vote. Because NH has "same-day voter registration" we know, for a fact, that there is no justification for the residency requirement of ten days or any other number of days. This bill is flawed for the same reasons it has been flawed in its prior iterations.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Moynihan spoke against.

Rep. Gannon spoke in favor.

Majority committee report adopted and ordered to third reading.

**HB 1356**, relative to construction of the terms "resident" and "inhabitant." **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for the Majority of Election Law. This bill with the amendment makes technical corrections to the statutory definitions of resident and residence. The current law in RSA 21:6 says that a resident must demonstrate "... a current intent to designate that place of abode as his principal place of physical presence for the indefinite future to the exclusion of all others." In 1972, the New Hampshire Supreme Court ruled in the Newburger v. Peterson case that "the indefinite intention test offends the equal protection clause of the Fourteenth Amendment." As a result of that decision, the current definition of resident in RSA 21:6 is unconstitutional with respect to voting. To eliminate the conflict between that court decision and current law, this bill simply removes the four words "for the indefinite future" from the definition of resident. The amendment removes the same four words from the definition of residence. This legislation does not implement any policy change and has been vetted for unintended consequences by the Department of Safety, the Division of Vital Records, the New Hampshire Fish and Game Department, the University System of New Hampshire, and the Secretary of State. None of these departments found any concerns with the proposed changes and the Department of Safety and the Secretary of State explicitly support the clarification of these definitions. Vote 11-7.

Rep. Wayne Burton for the Minority of Election Law. This bill is yet another attempt to change the laws that have served NH well for many years as to who may vote in our state. Federal court decisions have protected the rights of students, veterans and others in our mobile society. In this, the 100th anniversary of our presidential primary, measures tending to limit access to the polls run counter to our desire to preserve our rightful place as first in the nation.

**Majority Amendment (0566h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Statutory Construction; Residence; Residency. Amend RSA 21:6-a to read as follows:

21:6-a Residence. Residence or residency shall mean a person's place of abode or domicile. The place of abode or domicile is that designated by a person as his *or her* principal place of physical presence ~~for the indefinite future~~ to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is an intent to return to such residence or residency as the principal place of physical presence.

#### AMENDED ANALYSIS

This bill modifies the general statutory definitions of "resident or inhabitant" and "residence or residency."

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Burton spoke against.

Rep. Barbara Griffin spoke in favor.

On a division vote, with 200 members having voted in the affirmative and 139 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 1468**, relative to sessions for correction of the checklist. **OUGHT TO PASS WITH AMENDMENT.** Rep. James Gray for Election Law. Currently RSA 654:27 and 654:28 require multiple meetings of the Supervisors of the Checklist when elections are held in close proximity. Often no voter's changes are identified during these meetings. This bill allows one meeting to serve to fulfill the requirements within a 21-day period. Additionally, it provides greater flexibility in regard to the scheduling of that meeting. Vote 13-6.

#### Amendment (0309h)

Amend the bill by replacing section 1 with the following:

1 Checklists; Session for Correction. Amend RSA 654:27 and 654:28 to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on ~~the Saturday 10~~ *a day designated by the supervisors which shall be 6 to 13 days prior to the election and upon which all hearings shall be finally closed; provided that [if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours] whenever more than one meeting is required within a 21-day period, the first required meeting may serve to fulfill the requirements of the remaining meetings. All sessions for the correction of the checklist shall be for no less than 30 minutes and at the discretion of the supervisors for additional hours.* Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted and shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

654:28 Procedure. The supervisors of the checklist shall hear all applications for a correction of the checklist and the evidence submitted thereon and shall correct it according to their best knowledge so that it contains only the names of those persons qualified to vote at said election. The names of all persons not qualified to vote at the time of any session, but who shall clearly be qualified to vote on election day, may be added to the checklist at that session. ~~[The session which is held on the Saturday 10 days prior to election day shall be held as a minimum requirement between 11:00 a.m. and 11:30 a.m. and at the discretion of the supervisors for additional hours:]~~ No additions or corrections shall be made after the Saturday session, except as provided in RSA 659:12 or RSA 654:27~~[-provided, however, that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours]~~. The additions and corrections resulting from such session shall be made to the previously posted checklist on or before midnight on the succeeding Friday either by additions or corrections to said checklist or by posting a new corrected checklist. Notice of such additions or corrections to the checklist shall also be given to the town or city clerk.

Committee amendment adopted.

Committee report adopted and ordered to third reading.



**HB 1482**, establishing a committee to study improving the statewide voter registration database.

**MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Adam Schroader for the Majority of Election Law. Under the current statewide voter registration system, a person who moves from one New England state to another and registers to vote in the new state is requested to provide his or her address in the previous state so the record can be canceled there. If the person fails to provide the previous address, or if the registrar or supervisor of the checklist fails to send it to the previous jurisdiction, or if the registrar or supervisor of the checklist in the previous jurisdiction fails to act on the cancellation notice, a duplicate record exists. As introduced, this bill aimed to establish a committee to study improving the statewide voter registration database. The majority of the committee chose to amend the language, replacing the study with permissive legislation allowing the Secretary of State to enter into agreement to share voter information or data from the statewide-centralized voter registration database for the purpose of comparing duplicate information with other states or groups of states. With this permissive legislation the Secretary of State may enter into the agreements necessary for New Hampshire to participate in the Interstate Voter Registration Crosscheck Program. A majority of the states already participate in this program, including our neighboring states Massachusetts and Maine who reported as many as 14,659 duplicate records between them in 2015. If the NH Secretary of State chooses to enter the program as well, they shall review the data resulting from our participation and forward any voter irregularities identified to the Attorney General. This program will help keep voter registration information up to date and help identify voters who may be illegally voting in multiple states during the same election. Vote 10-5.

Rep. William Pearson for the Minority of Election Law. The amendment attached to this bill is vague in its application and potentially harmful to New Hampshire voters. This legislation would permit the Secretary of State to enter the Interstate Voter Registration Crosscheck Program; a program that may have disenfranchised over 3,000 eligible voters in its own state of conception, Kansas. As a study committee, the bill would have afforded the House time to decide how misleading data and false positives (upwards of 59%) could be handled. The amendment takes that language out and, thus, is not supported by the minority.

#### **Majority Amendment (0676h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the Interstate Voter Registration Crosscheck Program.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Centralized Voter Registration Database; Agreements to Share Voter Information or Data with Other States. Amend RSA 654:45 by inserting after paragraph VII the following new paragraph:

VIII. The secretary of state may enter into an agreement to share voter information or data from the statewide centralized voter registration database for the purpose of comparing duplicate voter information with other states or groups of states. The secretary of state shall only provide information that is necessary for matching duplicate voter information with other states and shall take precautions to make sure that information in the database is secure in a manner consistent with RSA 654:45, VI. The secretary of state may solicit input from the department of safety and the department of information technology and shall ensure that any information or data shared between the agencies that is of a confidential nature remains confidential.

2 Interstate Voter Registration Crosscheck Program. Pursuant to the authority in RSA 654:45, VIII, the secretary of state may enter into the agreements necessary for the state of New Hampshire to participate in the Interstate Voter Registration Crosscheck Program. The secretary of state shall review the data resulting from its participation in the Interstate Voter Registration Crosscheck Program and forward any voter irregularities identified to the attorney general.

3 Effective Date. This act shall take effect 10 days after its passage.

#### **AMENDED ANALYSIS**

This bill authorizes the secretary of state to enter into an agreement to share voter information and data through the Interstate Voter Registration Crosscheck Program.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Pearson spoke against and yielded to questions.

Rep. Schroader spoke in favor.

Rep. Cote requested a roll call; sufficiently seconded.

**YEAS 208 NAYS 140**

**YEAS - 208**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Russell, David	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		

**CHESHIRE**

Hunt, John	Johnsen, Gladys	McConnell, James	Roberts, Kris
Sterling, Franklin			

**COOS**

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Theberge, Robert	Tholl, John		

**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Johnson, Eric	Ladd, Rick
Massimilla, Linda	Piper, Wendy	Shackett, Jeffrey	

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gould, Linda	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Stepanek, Stephen	Sweeney, Shawn	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	Hess, David	Hill, Gregory	Horn, Werner
Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Moffett, Howard	Parent, Jason	Ratzki, Mario	Seaworth, Brian
Walsh, Thomas			

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Barnes, Arthur	Bates, David	Belanger, Ronald	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly

Friel, William  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Matthews, Carolyn  
 Nigrello, Robert  
 Packard, Sherman  
 Rice, Frederick  
 Thomas, Douglas  
 Vose, Michael  
 Weyler, Kenneth

Gannon, William  
 Guthrie, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 McKinney, Betsy  
 O'Connor, John  
 Peckham, Michele  
 Schroadter, Adam  
 Tilton, Rio  
 Ward, Joanne

Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Lundgren, David  
 McMahon, Charles  
 Oligny, Jeffrey  
 Potucek, John  
 Sweeney, Joe  
 True, Chris  
 Webb, James

Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Tucker, Pamela  
 Welch, David

### STRAFFORD

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Pitre, Joseph

Bickford, David  
 Groen, Warren  
 Knowles, Robert  
 Turcotte, Leonard

Cheney, Catherine  
 Hannon, Joseph  
 Leeman, Don  
 Wuelper, Kurt

Graham, Robert  
 Jones, Laura  
 Mullen, John

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 140

### BELKNAP

Fisher, Robert

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
 Chase, Cynthia  
 Parkhurst, Henry  
 Sad, Tara  
 Weber, Lucy

Ames, Richard  
 Eaton, Daniel  
 Pearson, William  
 Shepardson, Marjorie

Berch, Paul  
 Ley, Douglas  
 Phillips, Larry  
 Tatro, Bruce

Bordenet, John  
 Mann, John  
 Robertson, Timothy  
 Tilton, Benjamin

### COOS

Froburg, Alethea

Moynihan, Wayne

Thomas, Yvonne

### GRAFTON

Abel, Richard  
 Ford, Susan  
 Smith, Suzanne

Almy, Susan  
 Hennessey, Martha  
 Sykes, George

Brown, Rebecca  
 Higgins, Patricia  
 Townsend, Charles

Cooney, Mary  
 Maes, Kevin  
 White, Andrew

### HILLSBOROUGH

Backus, Robert  
 Cohen, Alan  
 Edwards, Elizabeth  
 Goley, Jeffrey  
 Harvey, Suzanne  
 Judy, Jean  
 McNamara, Richard  
 Rosenwald, Cindy  
 Snow, Kendall  
 Walsh, Robert

Beaulieu, Jane  
 Cornell, Patricia  
 Forest, Armand  
 Gorman, Mary  
 Heath, Mary  
 Leishman, Peter  
 O'Neil, William  
 Shattuck, Gilman  
 Soucy, Timothy  
 Williams, Kermit

Brown, Pamela  
 Cote, David  
 Freitas, Mary  
 Guerette, C. Lee  
 Herbert, Christopher  
 Mangipudi, Latha  
 Porter, Marjorie  
 Shaw, Barbara  
 Sullivan, Daniel

Christiansen, Lars  
 DiSilvestro, Linda  
 Gidge, Kenneth  
 Hansberry, Daniel  
 Jack, Martin  
 Manley, Jonathan  
 Roberts, Carol  
 Smith, Timothy  
 Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
 Deloge, Helen  
 French, Barbara

Bartlett, Christy  
 Doherty, David  
 French, Harold

Bradley, Paula  
 Ebel, Karen  
 Gile, Mary

Carson, Clyde  
 Frazer, June  
 Henle, Paul

Hirsch, Geoffrey  
 MacKay, James  
 Rogers, Katherine  
 Turcotte, Alan

Karrick, David  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Kenison, Linda  
 Patten, Dick  
 Schuett, Dianne  
 Wheeler, Deborah

Luneau, David  
 Rice, Chip  
 Shurtleff, Stephen

**ROCKINGHAM**

Berrien, Skip  
 Cushing, Robert  
 Heffron, Frank  
 Simpson, Alexis

Borden, David  
 DiFranco, Debbie  
 Lovejoy, Patricia  
 Ward, Gerald

Cahill, Michael  
 Francese, Paula  
 McBeath, Rebecca

Cali-Pitts, Jacqueline  
 Gordon, Pamela  
 Pantelakos, Laura

**STRAFFORD**

Baber, William  
 Cilley, Jacalyn  
 Kaen, Naida  
 Southworth, Thomas  
 Treleaven, Susan

Berube, Roger  
 DiSesa, Len  
 Rollo, Deanna  
 Spang, Judith  
 Wall, Janet

Bixby, Peter  
 Gardner, Janice  
 Schmidt, Peter  
 Sprague, Dale  
 Ward, Kenneth

Burton, Wayne  
 Horrigan, Timothy  
 Smith, Marjorie  
 Stevens, Audrey

**SULLIVAN**

Cloutier, John  
 Irwin, Virginia

Converse, Larry  
 Schmidt, Andrew

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report was adopted and ordered to third reading.

**HB 1529-FN**, relative to reporting of felony convictions for voter checklist updates. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for the Majority of Election Law. This bill provides a mechanism for enforcement of our law that felons have forfeited the right to vote. Currently, there is no way for supervisors of a checklist to know when a registered voter is convicted of a felony. This bill directs that the Secretary of State shall obtain a monthly report from the Commissioner of Safety of persons who have lost their right to vote. The Secretary of State shall then indicate that disqualification on the voter database so the local communities have that information. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. In New Hampshire there is just no evidence of any history of incarcerated felons voting, or voting while on work release, on a suspended sentence, or attempting to vote by absentee ballot. Despite the absence of need, this bill creates complicated bureaucratic responsibilities which are imposed on the Department of Safety and Secretary of State's office, which the fiscal note declares will cost tens of thousands of dollars each year to administer. The sponsor did not present any source of funding for this additional government spending. The sole purpose of the new bureaucracy is to remove citizens with felonies from the voter checklists. This new system will do nothing to restore the citizen to his or her right to vote when eligible again. It is only those felons who are incarcerated in a jail or prison that are ineligible to vote. Felons on parole, probation, or serving suspended sentences are eligible to vote. However, this bill does nothing to insure that these eligible citizens are not disenfranchised. A felon may hold public office, but must swear by affidavit that he or she has completed their sentence; a fact easily determined by reference to the public record. This bill creates an unnecessary felony "tracking system" on statewide voter checklists. Since there is no demonstrable voting by ineligible felons, this burdensome and costly system solves no problem. Rather, it is much more likely to unjustly deprive a citizen of their fundamental right to vote.

**Majority Amendment (0031h)**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Duties of Commissioner of Safety. Amend RSA 21-P:4 by inserting after paragraph XVI the following new paragraph:

XVII. Provide monthly reports to the secretary of state of all persons who have lost their right to vote pursuant to RSA 607-A:2 during the prior month.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Subparagraph; Criminal Records; Disclosure. Amend RSA 106-B:14, I by inserting after subparagraph (e) the following new subparagraph:

(f) The commissioner of the department of safety may provide monthly reports to the secretary of state pursuant to RSA 21-P:4, XVII.  
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Moynihan spoke against and yielded to questions.  
Rep. Barbara Griffin spoke in favor and yielded to questions.  
On a division vote, with 187 members having voted in the affirmative and 160 in the negative, the majority committee report was adopted and ordered to third reading.

#### **HB 1530-FN-L, relative to mail-in voting. INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for Election Law. This bill fundamentally changes our current system of voting. Our current method allows a voter to ask for an absentee ballot if they cannot go to the polling place on the day of the voting. This bill proposes to allow any voter to vote by mail. While allegedly proposed to encourage voter turnout, NH currently has one of the highest voter turnout rates in the country. The bill contains no clear process or standard as to how the verification process for ballots would occur. The Department of State and New Hampshire Municipal Association both said this would increase state and local expenditures by an unknown amount. A change to the bill as to the time ballots could be received was not received from the sponsors. Finally, there only three states that use a similar type of voting. This does not appear to create a substantially different voter participation rate than we currently have. Vote 13-5.  
Rep. Hoell requested a roll call; sufficiently seconded.

### **YEAS 287 NAYS 66**

#### **YEAS - 287**

##### **BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Russell, David	Spanos, Peter
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

##### **CARROLL**

Avellani, Lino	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

##### **CHESHIRE**

Abbott, Michael	Ames, Richard	Eaton, Daniel	Hunt, John
Ley, Douglas	Mann, John	McConnell, James	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	

##### **COOS**

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Theberge, Robert	Tholl, John	Thomas, Yvonne	

##### **GRAFTON**

Almy, Susan	Bailey, Brad	Brown, Duane	Brown, Rebecca
Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ingretson, Paul	Johnson, Eric
Ladd, Rick	Maes, Kevin	Piper, Wendy	Shackett, Jeffrey
Sykes, George	Townsend, Charles	White, Andrew	

##### **HILLSBOROUGH**

Adams, Christopher	Backus, Robert	Balcom, John	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph

Burt, John  
 Coffey, James  
 Edelblut, Frank  
 Flanagan, Jack  
 Goley, Jeffrey  
 Guerette, C. Lee  
 Hansen, Peter  
 Hopper, Gary  
 Lachance, Joseph  
 Mangipudi, Latha  
 McClarren, Donald  
 Murphy, Keith  
 Ober, Russell  
 Pellegrino, Anthony  
 Proulx, Mark  
 Sanborn, Laurie  
 Simmons, Tammy  
 Sullivan, Daniel  
 Ulery, Jordan  
 Wolf, Terry

Byron, Frank  
 Cohen, Alan  
 Edwards, Elizabeth  
 Fromuth, Bart  
 Gorman, Mary  
 Haefner, Robert  
 Harvey, Suzanne  
 Jack, Martin  
 LeBrun, Donald  
 Marston, Dick  
 McLean, Mark  
 Notter, Jeanine  
 Ohm, Bill  
 Peterson, Ken  
 Rice, Kimberly  
 Seidel, Carl  
 Smith, Gregory  
 Sweeney, Shawn  
 Vann, Ivy  
 Zaricki, Nick

Christensen, Chris  
 Danielson, David  
 Estevez, Eric  
 Gagne, Larry  
 Gould, Linda  
 Halstead, Carolyn  
 Hinch, Richard  
 Jeudy, Jean  
 Leishman, Peter  
 Martel, Andre  
 McNamara, Richard  
 O'Brien, William  
 Palmer, Barry  
 Pierce, David  
 Rouillard, Claire  
 Shattuck, Gilman  
 Soucy, Timothy  
 Takesian, Charlene  
 Walsh, Robert

Christie, Rick  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Gargas, Carolyn  
 Griffin, Barbara  
 Hansberry, Daniel  
 Hogan, Edith  
 Kurk, Neal  
 Long, Patrick  
 McCarthy, Peggy  
 Murotake, David  
 Ober, Lynne  
 Parison, James  
 Porter, Marjorie  
 Rowe, Robert  
 Shaw, Barbara  
 Stepanek, Stephen  
 Twombly, Timothy  
 Williams, Kermit

### MERRIMACK

Bradley, Paula  
 Ebel, Karen  
 Gile, Mary  
 Horn, Werner  
 Kotowski, Frank  
 Marple, Richard  
 Moffett, Howard  
 Rice, Chip  
 Walsh, Thomas

Brewster, Michael  
 Frazer, June  
 Hill, Gregory  
 Karrick, David  
 Kuch, Bill  
 Martin, John  
 Myler, Mel  
 Seaworth, Brian  
 Wheeler, Deborah

Carson, Clyde  
 French, Barbara  
 Hirsch, Geoffrey  
 Kenison, Linda  
 Long, Douglas  
 McGuire, Carol  
 Parent, Jason  
 Turcotte, Alan

Deloge, Helen  
 French, Harold  
 Hoell, J.R.  
 Kidder, David  
 MacKay, James  
 McGuire, Dan  
 Patten, Dick  
 Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
 Barnes, Arthur  
 Borden, David  
 Christie, Andrew  
 Devine, James  
 Ferrante, Beverly  
 Green, Dennis  
 Heffron, Frank  
 Itse, Daniel  
 Lundgren, David  
 McMahon, Charles  
 Osborne, Jason  
 Potucek, John  
 Simpson, Alexis  
 Tilton, Rio  
 Webb, James

Abramson, Max  
 Bates, David  
 Cardon, G. Thomas  
 Cook, Allen  
 Doucette, Fred  
 Friel, William  
 Griffin, Mary  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sweeney, Joe  
 True, Chris  
 Welch, David

Allen, Mary  
 Belanger, Ronald  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Gannon, William  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Matthews, Carolyn  
 Nigrello, Robert  
 Pantelakos, Laura  
 Rice, Frederick  
 Sytek, John  
 Tucker, Pamela  
 Weyler, Kenneth

Azarian, Gary  
 Berrien, Skip  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Gordon, Richard  
 Harris, Jeffrey  
 Introne, Robert  
 Kolodziej, Walter  
 McKinney, Betsy  
 O'Connor, John  
 Peckham, Michele  
 Schroadter, Adam  
 Thomas, Douglas  
 Vose, Michael  
 Woitkun, Steven

### STRAFFORD

Bickford, David  
 Graham, Robert  
 Jones, Laura  
 Leeman, Don  
 Smith, Marjorie  
 Turcotte, Leonard

Cheney, Catherine  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Mullen, John  
 Southworth, Thomas  
 Wall, Janet

Cilley, Jacalyn  
 Groen, Warren  
 Kaen, Naida  
 Pitre, Joseph  
 Spang, Judith  
 Ward, Kenneth

DiSesa, Len  
 Hannon, Joseph  
 Knowles, Robert  
 Schmidt, Peter  
 Sprague, Dale  
 Wuelper, Kurt

**SULLIVAN**

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Rollins, Skip

Grenier, James  
Schmidt, Andrew

**NAYS - 66  
CARROLL**

Buco, Thomas

**CHESHIRE**

Berch, Paul  
Pearson, William

Bordenet, John  
Tilton, Benjamin

Chase, Cynthia  
Weber, Lucy

Johnsen, Gladys

**COOS**

Froborg, Alethea

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Massimilla, Linda

Bennett, Travis  
Smith, Suzanne

Cooney, Mary

Ford, Susan

**HILLSBOROUGH**

Ammon, Keith  
Cornell, Patricia  
Forest, Armand  
Herbert, Christopher  
Rosenwald, Cindy

Baroody, Benjamin  
Cote, David  
Freitas, Mary  
Manley, Jonathan  
Smith, Timothy

Brown, Pamela  
DiSilvestro, Linda  
Gidge, Kenneth  
Moore, Josh  
Snow, Kendall

Christiansen, Lars  
Donovan, Daniel  
Heath, Mary  
O'Neil, William

**MERRIMACK**

Alicea, Caroletta  
Luneau, David  
Schuett, Dianne

Bartlett, Christy  
Ratzki, Mario  
Shurtleff, Stephen

Doherty, David  
Rogers, Katherine

Henle, Paul  
Saunderson, George

**ROCKINGHAM**

Bush, Carol  
DiFranco, Debbie  
McBeath, Rebecca

Cahill, Michael  
Francesse, Paula  
Ward, Gerald

Cali-Pitts, Jacqueline  
Gordon, Pamela

Cushing, Robert  
Lovejoy, Patricia

**STRAFFORD**

Baber, William  
Burton, Wayne  
Treleven, Susan

Beaudoin, Steven  
Horrigan, Timothy

Berube, Roger  
Rollo, Deanna

Bixby, Peter  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
and the committee report was adopted.

**HB 1532, permitting state or county prisoners to vote by absentee ballot. INEXPEDIENT TO LEGISLATE.**

Rep. William Gannon for Election Law. The majority believes that permitting incarcerated felons to vote would be a fundamental change to our justice system. Persons who commit a serious crime have always been thought to have questionable judgment and, partially for that reason, have forfeited their vote during their incarceration. Also, forfeiture of one's vote is a punishment for the crime committed. The majority is sympathetic to the issue of rehabilitation, but does not believe there was any empirical evidence presented to the committee to show that giving a felon the right to vote while incarcerated would have a causal linkage to his return as a positive, functioning member of society. Additionally, under NH domicile law, the felon would be able to claim his prison's location as his residence and prison populations could greatly impact the voting in the location of the prisons. Vote 15-3. Committee report adopted.

**HB 1440-FN, relative to certification for solid waste operators. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. George Saunderson for the Majority of Environment and Agriculture. The current certification requirements for solid waste operators serve to protect the transfer station employees and the environment from potential danger. Safe disposal of hazardous waste is a constantly evolving situation which requires annual review and training. This bill would have reduced the existing certification requirements, thereby exposing employees to potential risk from the mishandling of hazardous waste. The bipartisan majority of the committee felt that solid waste operators were not overly regulated and reducing this requirement at this time would not be in the best interest of the state. Vote 15-3.

Rep. Warren Groen for the Minority of Environment and Agriculture. This bill sought to relieve small towns from the burden of redundant training and the high cost relative to benefits received. Annual renewal is an excessive burden on a fairly static recycling operation, especially when other professions are more infrequent. The Department of Environmental Services collects the \$50 fee even when they don't offer the training. Police are recertified every three years, EMTs every two years, and firefighters once and done. This is one taxpayer-funded branch of government forcing an unfunded mandate on another sector of taxpayer-funded government, irrespective of services offered.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Manley spoke against.

Rep. Saunderson spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 219    NAYS 130**

**YEAS - 219**

**BELKNAP**

Fields, Dennis	Flanders, Donald	Gallagher, Brian	LeBreche, Shari
Russell, David	Tilton, Franklin		

**CARROLL**

Buco, Thomas	Chandler, Gene	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tilton, Benjamin	Weber, Lucy		

**COOS**

Fothergill, John	Frobург, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Holl, John	Thomas, Yvonne

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Smith, Suzanne	Sykes, George	Townsend, Charles	

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Brown, Pamela
Christensen, Chris	Christiansen, Lars	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Donovan, Daniel
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gagne, Larry
Gargas, Carolyn	Gidge, Kenneth	Gorman, Mary	Guerette, C. Lee
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Harvey, Suzanne



Heath, Mary  
 Jack, Martin  
 Leishman, Peter  
 Martel, Andre  
 Pellegrino, Anthony  
 Rosenwald, Cindy  
 Snow, Kendall  
 Ulery, Jordan

Herbert, Christopher  
 Jeudy, Jean  
 Long, Patrick  
 McCarthy, Peggy  
 Pierce, David  
 Rowe, Robert  
 Soucy, Timothy  
 Vann, Ivy

Hinch, Richard  
 Kurk, Neal  
 Mangipudi, Latha  
 O'Neil, William  
 Porter, Marjorie  
 Seidel, Carl  
 Sullivan, Daniel  
 Walsh, Robert

Hogan, Edith  
 LeBrun, Donald  
 Marston, Dick  
 Palmer, Barry  
 Roberts, Carol  
 Smith, Timothy  
 Takesian, Charlene  
 Wolf, Terry

### MERRIMACK

Alicea, Caroletta  
 Deloge, Helen  
 French, Barbara  
 Hirsch, Geoffrey  
 Luneau, David  
 Ratzki, Mario  
 Shurtleff, Stephen  
 Wheeler, Deborah

Bartlett, Christy  
 Doherty, David  
 Gile, Mary  
 Karrick, David  
 MacKay, James  
 Rogers, Katherine  
 Turcotte, Alan

Bradley, Paula  
 Ebel, Karen  
 Henle, Paul  
 Kenison, Linda  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Carson, Clyde  
 Frazer, June  
 Hess, David  
 Kotowski, Frank  
 Patten, Dick  
 Schuett, Dianne  
 Walsh, Thomas

### ROCKINGHAM

Abrami, Patrick  
 Berrien, Skip  
 Cardon, G. Thomas  
 Devine, James  
 Francese, Paula  
 Guthrie, Joseph  
 Katsakiores, Phyllis  
 McBeath, Rebecca  
 O'Connor, John  
 Potucek, John  
 Sytek, John  
 Welch, David

Azarian, Gary  
 Borden, David  
 Christie, Andrew  
 DiFranco, Debbie  
 Friel, William  
 Heffron, Frank  
 Lovejoy, Patricia  
 McKinney, Betsy  
 Packard, Sherman  
 Rice, Frederick  
 Tilton, Rio  
 Weyler, Kenneth

Barnes, Arthur  
 Bush, Carol  
 Cushing, Robert  
 Elliott, Robert  
 Gordon, Pamela  
 Hoelzel, Kathleen  
 Major, Norman  
 McMahon, Charles  
 Pantelakos, Laura  
 Simpson, Alexis  
 Ward, Gerald  
 Woitkun, Steven

Belanger, Ronald  
 Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Ferrante, Beverly  
 Griffin, Mary  
 Introne, Robert  
 Matthews, Carolyn  
 Milz, David  
 Peckham, Michele  
 Sweeney, Joe  
 Webb, James

### STRAFFORD

Baber, William  
 Cilley, Jacalyn  
 Kaen, Naida  
 Smith, Marjorie  
 Treleaven, Susan

Berube, Roger  
 DiSesa, Len  
 Pitre, Joseph  
 Southworth, Thomas  
 Wall, Janet

Bixby, Peter  
 Gray, James  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

Burton, Wayne  
 Horrigan, Timothy  
 Schmidt, Peter  
 Stevens, Audrey

### SULLIVAN

Cloutier, John  
 Grenier, James

Converse, Larry  
 Rollins, Skip

Gagnon, Raymond  
 Schmidt, Andrew

Gottling, Suzanne

### NAYS - 130

#### BELKNAP

Aldrich, Glen  
 Howard, Jr., Raymond  
 Vadney, Herbert

Dumais, Russell  
 Hurt, George  
 Varney, Peter

Fisher, Robert  
 Spanos, Peter

Fraser, Valerie  
 Sylvia, Michael

#### CARROLL

Avellani, Lino  
 Wright, Ted

Butler, Edward

Comeau, Ed

Cordelli, Glenn

### CHESHIRE

Ley, Douglas

McConnell, James

### COOS

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ingbretson, Paul  
Shackett, Jeffrey

Brown, Duane  
Johnson, Eric  
White, Andrew

Gionet, Edmond  
Ladd, Rick

Hull, Robert  
Piper, Wendy

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Eastman, Eric  
Ferreira, Elizabeth  
Hopper, Gary  
McLean, Mark  
Murphy, Keith  
Ober, Russell  
Rice, Kimberly  
Shaw, Barbara  
Sullivan, Victoria

Ammon, Keith  
Byron, Frank  
Edelblut, Frank  
Fromuth, Bart  
Lachance, Joseph  
McNamara, Richard  
Notter, Jeanine  
Ohm, Bill  
Rouillard, Claire  
Simmons, Tammy  
Twombly, Timothy

Boehm, Ralph  
Christie, Rick  
Edwards, Elizabeth  
Gould, Linda  
Manley, Jonathan  
Moore, Josh  
O'Brien, William  
Parison, James  
Sanborn, Laurie  
Smith, Gregory  
Williams, Kermit

Bouldin, Amanda  
Danielson, David  
Estevez, Eric  
Griffin, Barbara  
McClarren, Donald  
Murotake, David  
Ober, Lynne  
Peterson, Ken  
Shattuck, Gilman  
Stepanek, Stephen  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Kidder, David  
Martin, John  
Seaworth, Brian

Hill, Gregory  
Kuch, Bill  
McGuire, Carol

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abramson, Max  
Chase, Francis  
Emerick, J. Tracy  
Harris, Jeffrey  
Kolodziej, Walter  
Osborne, Jason  
True, Chris

Allen, Mary  
Chirichiello, Brian  
Gannon, William  
Hodgdon, Bruce  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Tucker, Pamela

Bates, David  
Cook, Allen  
Gordon, Richard  
Itse, Daniel  
Nigrello, Robert  
Schroadter, Adam  
Vose, Michael

Cahill, Michael  
Dean-Bailey, Yvonne  
Green, Dennis  
Kappler, Lawrence  
Oigny, Jeffrey  
Thomas, Douglas  
Ward, Joanne

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

Bickford, David  
Hannon, Joseph  
Leeman, Don

Cheney, Catherine  
Jones, Laura  
Mullen, John

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

**SULLIVAN**

Irwin, Virginia

Laware, Thomas

and the majority committee report was adopted.

**HB 1499-FN**, relative to certificates for rabies vaccination of dogs, cats, or ferrets. **INEXPEDIENT TO LEGISLATE.**

Rep. John O'Connor for Environment and Agriculture. This bill would eliminate the requirement that veterinarians send copies of certificates of rabies vaccination which they generate to town and city clerks. Eliminating this central repository puts our citizens at risk. Whenever a domestic animal bite occurs, the first responders reach out to this central location to determine whether or not the animal has been vaccinated. The bipartisan majority of the committee agreed that it is important to keep this capability in place. Vote 16-3.  
Committee report adopted.

**HB 1528-FN**, relative to standards for aerobic septic systems. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John O'Connor for the Majority of Environment and Agriculture. This bill is specific to the use of Enhanced Treatment Units in septic systems which allow the discharge of effluent to smaller leach fields. Due to the technical nature of these systems which require soil scientist and professional expertise to install, these systems are moved from local control to permitting by the Department of

Environmental Services (DES). Although these systems have the most advanced technology, they still need to be reviewed by DES on a permit-by-permit basis to maintain a level playing field and not pit one firm against another. Our current statutes and rules accomplish this. This bill reduces the requirements below our current standards which may weaken our basic protection of human health. This bill also establishes a new position within DES without any additional funding for the position. Vote 10-6. Rep. Warren Groen for the Minority of Environment and Agriculture. This bill seeks to level the playing field for all new technology being developed for the treatment of septic waste. In committee we heard that this bill should be accomplished through rules. That was attempted in the past and failed. This bill was intended to say that any technology that could perform to a given standard would be approved to compete in the market just the same as the original design that has been approved. Majority committee report adopted.

**CACR 21**, relating to the attorney general. Providing that the attorney general be elected to a 4-year term. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass with Amendment:** This proposed amendment to the state constitution changes the method of selection of the Attorney General. Currently, the Attorney General is nominated by the Governor and approved by the Executive Council. The constitutional amendment as filed would have changed the NH Constitution to require the Attorney General to be elected to a 4-year term by the people. The Attorney General is already directly elected in 43 other states. The current process denies the people and their representatives input into who is tasked with being charged with ensuring the laws of the state are followed. The result is that the Attorney General is an agent of the Governor and the agencies of the state rather than the people. The CACR as filed would rectify this lack of oversight by direct election. During a committee executive session, there was bipartisan support for the bill as filed but there was more support for a proposal to require the House and Senate to elect the Attorney General in joint session. This indirect election process would ensure that money is not used to "buy" the seat. This process for electing non-partisan officers of the state is already used for the Secretary of State and the State Treasurer. It has worked very well and those Constitutional officers are very responsive to the citizens. There are numerous examples of the Attorney General not being responsive to the needs of the citizens, including but not limited to: the legislature has authorized medical marijuana as the public policy of the state, but the Attorney General has opposed and thwarted the implementation of this policy at every opportunity; in the FRM case, the Attorney General's office repeatedly chose not to investigate criminal complaints costing elderly citizens millions of dollars in retirement funds; and most recently, the Attorney General has intervened to oppose parents' right to choose the most effective educational opportunities available for their children. If this proposed amendment is adopted by the people, the candidates desiring to serve in this office would submit their names to the legislature as candidates and then during a joint session of the House and Senate, the legislature would elect the Attorney General by ballot in the same manner as the Secretary of State and the Treasurer. This change would make the Attorney General more responsive to the needs of the people and the direction of their representatives than to the interests of the State Agencies and Departments and the bureaucrats that inhabit them.

Rep. J.R. Hoell

**Statement in support of Inexpedient to Legislate:** The Office of Attorney General has been a vital and key position in NH state government. Throughout our history there are numerous examples of where the Attorney General has "stood tall for justice" on behalf of the citizenry of NH. The present selection process is transparent and runs well. The selection process does not need tampering. Modifying the selection procedure risks not only tampering with a well-functioning system, but could further politicize the position of Attorney General. The present system where the Governor nominates a candidate, who must be confirmed by a majority of the Executive Council, provides a public vetting of the individual. New Hampshire prides itself on the access and availability of its elected officials by the public. Requiring the 424 member NH General Court to select the Attorney General will further politicize the office as well as possibly impede the operation of the NH Department of Justice. It was unclear if the present position of a four year Attorney General term would continue, or if the appointment would be for the duration of the appointing legislative body (two years). As indicated by the committee's tie vote – the decision of changing the Attorney General selection process is complex and to re-quote the old axiom "if it isn't broke, why fix it!"

Rep. Raymond Gagnon

Rep. Hoell moved Ought to Pass and offered floor amendment (0422h).

Floor Amendment (0422h)

Amend the title of the resolution by replacing it with the following:  
RELATING TO: the attorney general.  
PROVIDING THAT: the attorney general be chosen by ballot of the general court.  
Amend the resolution by replacing paragraph II with the following:  
II. That article 67 of the second part of the constitution be amended to read as follows:  
[Art.] 67. [Election of Secretary, ~~and~~ Treasurer, *and Attorney General.*] The Secretary, ~~and~~ Treasurer, *and Attorney General* shall be chosen by joint ballot of the Senators and Representatives assembled in one room.  
Amend the resolution by replacing paragraph V with the following:  
V. That the wording of the question put to the qualified voters shall be:  
“Are you in favor of amending articles 46 and 67 of the second part of the constitution to read as follows:  
[Art.] 46. [Nomination and Appointment of Officers.] All judicial officers, and all officers of the Navy, and general and field officers of the militia, shall be nominated and appointed by the Governor and Council; and every such nomination shall be made at least three days prior to such appointment; and no appointment shall take place, unless a majority of the Council agree thereto.  
[Art.] 67. [Election of Secretary, Treasurer, and Attorney General.] The Secretary, Treasurer, and Attorney General shall be chosen by joint ballot of the Senators and Representatives assembled in one room.”

AMENDED ANALYSIS

This constitutional amendment concurrent resolution calls for the attorney general to be chosen by ballot of the general court.  
On a division vote, with 168 members having voted in the affirmative and 165 in the negative, floor amendment (0422h) was adopted.  
  
The question now being adoption of the motion of Ought to Pass with Amendment.  
Rep. Gagnon spoke against.  
Rep. Hoell spoke in favor.  
On a division vote, with 181 members having voted in the affirmative and 171 in the negative, the motion failed lacking the necessary three-fifths vote.  
  
Rep. Shurtleff moved Inexpedient to Legislate.  
Rep. Itse requested a roll call; sufficiently seconded.

YEAS 179 NAYS 181

YEAS - 179  
BELKNAP

Fields, Dennis	Flanders, Donald	Tilton, Franklin
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CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	McConkey, Mark
Parker, Harold	Ticehurst, Susan		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

COOS

Fothergill, John	Forburg, Alethea	Hatch, William	Moynihan, Wayne
Theberge, Robert	Thomas, Yvonne		

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Belanger, James	Brown, Pamela	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Donovan, Daniel
Edwards, Elizabeth	Forest, Armand	Freitas, Mary	Gargas, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Halstead, Carolyn	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Judy, Jean	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
McNamara, Richard	O'Neil, William	Ober, Russell	Palmer, Barry
Pierce, David	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Rowe, Robert	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Luneau, David	MacKay, James	Martin, John	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

**ROCKINGHAM**

Azarian, Gary	Belanger, Ronald	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Christie, Andrew	Cushing, Robert
DiFranco, Debbie	Ferrante, Beverly	Francesse, Paula	Gordon, Pamela
Guthrie, Joseph	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
McKinney, Betsy	Pantelakos, Laura	Simpson, Alexis	Tilton, Rio
Ward, Gerald	Woitkun, Steven		

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Schmidt, Andrew	

**NAYS - 181****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Vadney, Herbert
Varney, Peter			

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
Wright, Ted			

**CHESHIRE**

Hunt, John	McConnell, James	Sterling, Franklin	Tilton, Benjamin
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**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christie, Rick	Coffey, James	Danielson, David	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gould, Linda	Griffin, Barbara
Haefner, Robert	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ohm, Bill	Parison, James
Pellegrino, Anthony	Peterson, Ken	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Stepanek, Stephen	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	McGuire, Carol	McGuire, Dan	Parent, Jason
Seaworth, Brian	Walsh, Thomas		

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Barnes, Arthur
Bates, David	Bush, Carol	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Friel, William	Gannon, William	Gordon, Richard
Green, Dennis	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Major, Norman
Matthews, Carolyn	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Oigny, Jeffrey	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Cheney, Catherine	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

**SULLIVAN**

Laware, Thomas  
and the motion failed.

Rollins, Skip

Smith, Steven

**MOTION TO LAY ON THE TABLE**

Rep. Hinch moved that **CACR 21**, relating to the attorney general. Providing that the attorney general be chosen by ballot of the general court, be laid on the table.

Motion adopted.

**REGULAR CALENDAR CONT'D**

**HB 1122**, relative to limitations on supervisory positions in state employment. **MAJORITY: IN-EXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill seeks to require the Commissioner of the Department of Administrative Services to implement and maintain a personnel database as well as limit the number of supervisory positions in state employment. The committee agrees that it may well be time to review the entire personnel classification system for state employees. However, the committee felt that this particular bill was too limited in scope to accomplish that goal and that it sought an arbitrary solution to a more complex issue. Vote 14-2.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. This bill concerns the system by which classified positions are ranked and salaries determined. One criterion in the ranking is the degree to which a position supervises others. Figures provided show that only 11% of full-time state employee positions are classified as having no supervisory responsibilities, 38% are partial supervisors and 49% are direct supervisors. These figures are clearly higher than actual practice. This bill directs commissioners to ensure that no more than 15% of their workforce is classified as direct supervisors. It also gives them a mechanism for obtaining exceptions. Commissioners who testified in opposition agreed that the system needs reform, but proposed no specifics. This bill provides a simple, reasonable and flexible way to move our employee classification system closer to reality.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cilley spoke in favor.

Rep. Dan McGuire spoke against and requested a roll call; sufficiently seconded.

**YEAS 200 NAYS 150****YEAS - 200****BELKNAP**

Fields, Dennis  
Russell, David

Fisher, Robert  
Tilton, Franklin

Flanders, Donald

Gallagher, Brian

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Robertson, Timothy  
Weber, Lucy

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sad, Tara

**COOS**

Fothergill, John  
Rappaport, Laurence

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Ladd, Rick  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Massimilla, Linda  
Townsend, Charles

Brown, Rebecca  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Christiansen, Lars  
DiSilvestro, Linda  
Gidge, Kenneth  
Haefner, Robert  
Harvey, Suzanne  
Jack, Martin  
Mangipudi, Latha  
Palmer, Barry  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Baroody, Benjamin  
Cohen, Alan  
Flanagan, Jack  
Goley, Jeffrey  
Halstead, Carolyn  
Heath, Mary  
Judy, Jean  
Manley, Jonathan  
Pellegrino, Anthony  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Biggie, Barbara  
Cornell, Patricia  
Forest, Armand  
Gorman, Mary  
Hansberry, Daniel  
Herbert, Christopher  
Leishman, Peter  
McNamara, Richard  
Pierce, David  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Christensen, Chris  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Hansen, Peter  
Hinck, Richard  
Long, Patrick  
O'Neil, William  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Friel, William  
Heffron, Frank  
Major, Norman  
Packard, Sherman  
Sytek, John

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Gordon, Pamela  
Hoelzel, Kathleen  
Matthews, Carolyn  
Pantelakos, Laura  
Tilton, Rio

Borden, David  
Chirichiello, Brian  
Elliott, Robert  
Griffin, Mary  
Introne, Robert  
McMahon, Charles  
Peckham, Michele  
Ward, Gerald

Cahill, Michael  
Christie, Andrew  
Francese, Paula  
Guthrie, Joseph  
Lovejoy, Patricia  
Milz, David  
Simpson, Alexis  
Welch, David

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Berube, Roger  
Ciley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Gray, James  
Schmidt, Peter  
Sprague, Dale  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

**NAYS - 150****BELKNAP**

Aldrich, Glen  
Hurt, George  
Vadney, Herbert

Dumais, Russell  
LeBreche, Shari  
Varney, Peter

Fraser, Valerie  
Spanos, Peter

Howard, Jr., Raymond  
Sylvia, Michael



**CARROLL**

Avellani, Lino  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

McConnell, James

Tilton, Benjamin

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Shackett, Jeffrey

Brown, Duane  
Hull, Robert

Darrow, Stephen  
Ingbreton, Paul

Gionet, Edmond  
Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Byron, Frank  
Donovan, Daniel  
Ferreira, Elizabeth  
Griffin, Barbara  
Lachance, Joseph  
McCarthy, Peggy  
Murotake, David  
Ober, Lynne  
Peterson, Ken  
Seidel, Carl  
Sullivan, Victoria

Ammon, Keith  
Belanger, James  
Christie, Rick  
Eastman, Eric  
Fromuth, Bart  
Hogan, Edith  
LeBrun, Donald  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Rice, Kimberly  
Simmons, Tammy  
Twombly, Timothy

Balcom, John  
Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Gagne, Larry  
Hopper, Gary  
Marston, Dick  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Rouillard, Claire  
Smith, Gregory  
Ulery, Jordan

Barry, Richard  
Burt, John  
Danielson, David  
Estevez, Eric  
Gould, Linda  
Kurk, Neal  
Martel, Andre  
Moore, Josh  
O'Brien, William  
Parison, James  
Sanborn, Laurie  
Stepanek, Stephen  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Long, Douglas  
McGuire, Dan

French, Harold  
Horn, Werner  
Marple, Richard  
Seaworth, Brian

Hess, David  
Kotowski, Frank  
Martin, John

Hill, Gregory  
Kuch, Bill  
McGuire, Carol

**ROCKINGHAM**

Abramson, Max  
Bates, David  
Cook, Allen  
Emerick, J. Tracy  
Green, Dennis  
Kappler, Lawrence  
McKinney, Betsy  
Osborne, Jason  
Spillane, James  
Tucker, Pamela  
Weyler, Kenneth

Allen, Mary  
Belanger, Ronald  
Dean-Bailey, Yvonne  
Ferrante, Beverly  
Harris, Jeffrey  
Katsakiores, Phyllis  
Nigrello, Robert  
Potucek, John  
Sweeney, Joe  
Vose, Michael

Azarian, Gary  
Bush, Carol  
DeSimone, Debra  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Thomas, Douglas  
Ward, Joanne

Barnes, Arthur  
Chase, Francis  
Duarte, Joe  
Gordon, Richard  
Itse, Daniel  
Lundgren, David  
Oigny, Jeffrey  
Schroadter, Adam  
True, Chris  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Jones, Laura  
Mullen, John

Graham, Robert  
Kaczynski, Jr., Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Turcotte, Leonard

**SULLIVAN**

Laware, Thomas  
and the majority committee report was adopted.

Rollins, Skip

**HB 1187-FN-L, repealing licensure of showmen. INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill targets, and would eliminate, a long-standing local control statute allowing local officials to have oversight and permitting of individuals who wish to come into a community to perform various types of shows for money. No evidence was provided to the committee that the showmen statute is causing, or has caused, any problems in any community; nor was there any call or support for a repeal. To the contrary, a repeal would infringe on local control without any countervailing benefit. Vote 7-5.

On a division vote, with 192 members having voted in the affirmative and 155 in the negative, the committee report was adopted.

**HB 1224, establishing RV month in New Hampshire. INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill would have required the Governor to proclaim the month of June as “RV Month.” While the committee felt that this was a good idea, we know that the Governor already has the authority to issue a proclamation without the legislature requiring him or her to do this. Concern was expressed by the committee members that adding a special time or date for everyone’s favorite cause to our statutes could go on ad infinitum. Vote 13-2.

Committee report adopted.

**HB 1282, relative to the state building code. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. J.R. Hoell for the Majority of Executive Departments and Administration. The bill proposes to adopt the 2015 International Building Code as the minimum standard for all new building construction as well as any commercial or residential renovations. The changes in the code are predominantly changes to building energy efficiency and not about life safety. The energy efficiency portion is extremely extensive and adds additional requirements that may force upgrades to other portions of the structure when completing a renovation. Further evidence that this standard is a significant change is that only 6 states have adopted this 2015 standard either at a state level or at a local level. Currently MA, CT and ME are all at the 2009 level or prior editions of the code and VT has only recently adopted the more restrictive 2012 standards. The NH Homebuilders Association raised 9 issues that needed to be amended out if this standard was adopted. Committee members noted during the executive session that we already allow the local jurisdictions to adopt this policy, if they want to, and that there are no prohibitions on homeowners or businesses adopting the newer standards when renovating or building new buildings. Given the energy costs in the state, if there was a compelling reason to adopt these standards, the prospective owners would be adopting these changes on their own, but that is not happening as the costs for some of these energy “solutions” has a negative return on investment once common interest rates are taken into account. Vote 10-6.

Rep. Carol Roberts for the Minority of Executive Departments and Administration. The International Building Code presently in force in New Hampshire is the 2009 code. It is generally considered among professionals that codes over five years old are dramatically out of date. It is in the best interests of all citizens of New Hampshire when the trades adhere to a newer code. While the latest code has some shortcomings, amendments have been made and may in the future be added to adjust the requirements. Although this bill had the backing of all the aforementioned trades, the majority of the committee found it Inexpedient to Legislate. The minority feels this action sets a bad precedent for allowing special interests to control the outcome of legislation and that cost should not drive changes to the many improvements to the code. Updates to the energy code will not be enforced – intensifying our dependence on fossil fuels; changes to lifesaving measures such as egress, fire protection, and emergency lighting will not be required and many other updates and additions approved by the trades will not be addressed. These items and other changes are now on the back burner due to the vote of majority.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Rosenwald requested a roll call; sufficiently seconded.

**YEAS 307    NAYS 49**

**YEAS - 307**

**BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Hurt, George  
Sylvia, Michael

Dumais, Russell  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Fields, Dennis  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fisher, Robert  
Howard, Jr., Raymond  
Spanos, Peter  
Varney, Peter

**CARROLL**

Avellani, Lino  
Comeau, Ed  
McConkey, Mark  
Ticehurst, Susan

Buco, Thomas  
Cordelli, Glenn  
Nelson, Bill  
Umberger, Karen

Butler, Edward  
Crawford, Karel  
Parker, Harold  
Wright, Ted

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

**CHESHIRE**

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara

Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tilton, Benjamin

Eaton, Daniel  
McConnell, James  
Roberts, Kris

Hunt, John  
Parkhurst, Henry  
Robertson, Timothy

**COOS**

Fothergill, John  
Rappaport, Laurence  
Tholl, John

Froburg, Alethea  
Richardson, Herbert  
Thomas, Yvonne

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

**GRAFTON**

Abel, Richard  
Brown, Duane  
Hennessey, Erin  
Johnson, Eric  
Piper, Wendy

Almy, Susan  
Brown, Rebecca  
Hennessey, Martha  
Ladd, Rick  
Shackett, Jeffrey

Bailey, Brad  
Darrow, Stephen  
Higgins, Patricia  
Maes, Kevin  
Smith, Suzanne

Bennett, Travis  
Gionet, Edmond  
Hull, Robert  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Bouldin, Amanda  
Coffey, James  
Danielson, David  
Edelblut, Frank  
Flanagan, Jack  
Gagne, Larry  
Griffin, Barbara  
Harvey, Suzanne  
Hopper, Gary  
LeBrun, Donald  
Martel, Andre  
Murotake, David  
O'Neil, William  
Palmer, Barry  
Porter, Marjorie  
Rowe, Robert  
Smith, Gregory  
Stepanek, Stephen  
Twombly, Timothy  
Zaricki, Nick

Backus, Robert  
Belanger, James  
Burt, John  
Cohen, Alan  
DiSilvestro, Linda  
Edwards, Elizabeth  
Forest, Armand  
Gidge, Kenneth  
Haefner, Robert  
Heath, Mary  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Murphy, Keith  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Smith, Timothy  
Sullivan, Daniel  
Ulery, Jordan

Balcom, John  
Biggie, Barbara  
Christensen, Chris  
Cornell, Patricia  
Donovan, Daniel  
Estevez, Eric  
Freitas, Mary  
Gorman, Mary  
Halstead, Carolyn  
Hinch, Richard  
Kurk, Neal  
Mangipudi, Latha  
McClarren, Donald  
Notter, Jeanine  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Seidel, Carl  
Snow, Kendall  
Sullivan, Victoria  
Walsh, Robert

Baroody, Benjamin  
Boehm, Ralph  
Christie, Rick  
Cote, David  
Eastman, Eric  
Ferreira, Elizabeth  
Fromuth, Bart  
Gould, Linda  
Hansen, Peter  
Hogan, Edith  
Lachance, Joseph  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Simmons, Tammy  
Soucy, Timothy  
Takesian, Charlene  
Wolf, Terry

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
French, Harold  
Hill, Gregory  
Karrick, David  
Kuch, Bill  
Martin, John  
Parent, Jason  
Schuett, Dianne  
Wheeler, Deborah

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Hirsch, Geoffrey  
Kenison, Linda  
Long, Douglas  
McGuire, Carol  
Patten, Dick  
Seaworth, Brian

Bradley, Paula  
Frazer, June  
Henle, Paul  
Hoell, J.R.  
Kidder, David  
MacKay, James  
McGuire, Dan  
Rice, Chip  
Turcotte, Alan

Carson, Clyde  
French, Barbara  
Hess, David  
Horn, Werner  
Kotowski, Frank  
Marple, Richard  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Barnes, Arthur	Bates, David	Belanger, Ronald	Borden, David
Call-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Doucette, Fred	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Francese, Paula	Friel, William
Gannon, William	Gordon, Richard	Green, Dennis	Griffin, Mary
Guthrie, Joseph	Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David
Major, Norman	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Osborne, Jason	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Simpson, Alexis	Spillane, James	Sweeney, Joe
Sytek, John	Thomas, Douglas	Tilton, Rio	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	

**STRAFFORD**

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Bixby, Peter	Burton, Wayne	Cheney, Catherine	DeLemus, Susan
DiSesa, Len	Gardner, Janice	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Rollo, Deanna	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Ward, Kenneth	Wuelper, Kurt	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gottling, Suzanne	Grenier, James
Laware, Thomas	Rollins, Skip	Schmidt, Andrew	Smith, Steven

**NAYS - 49**

**CHESHIRE**

Abbott, Michael	Ames, Richard	Bordenet, John	Mann, John
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

**GRAFTON**

Cooney, Mary	Ford, Susan	Townsend, Charles	White, Andrew
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**HILLSBOROUGH**

Ammon, Keith	Beaulieu, Jane	Byron, Frank	Christiansen, Lars
Goley, Jeffrey	Guerette, C. Lee	Hansberry, Daniel	Herbert, Christopher
Judy, Jean	Long, Patrick	Manley, Jonathan	McNamara, Richard
Pierce, David	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Vann, Ivy	Williams, Kermit	

**MERRIMACK**

Deloge, Helen	Luneau, David	Moffett, Howard	Ratzki, Mario
Rogers, Katherine	Shurtleff, Stephen	Wallner, Mary Jane	

**ROCKINGHAM**

Berrien, Skip	Cahill, Michael	Cushing, Robert	Ferrante, Beverly
Gordon, Pamela	Ward, Gerald		

**STRAFFORD**

Cilley, Jacalyn

Horrigan, Timothy

Schmidt, Peter

Wall, Janet

**SULLIVAN**

Gagnon, Raymond

Irwin, Virginia

and the majority committee report was adopted.

**HB 1433-FN**, establishing the office of ombudsman in the department of state. **REFER FOR INTERIM STUDY.**

Rep. John Sytek for Executive Departments and Administration. This bill would establish an office of ombudsman which would assist citizens who allege criminal acts by members of state and local government. This was introduced as a result of allegations that such complaints have not always been acted on in the past. The committee felt that there was merit to this concept but was concerned that important details need further study. Principally, there were concerns that a two-person office could easily be overwhelmed and, to a lesser extent, the funding of this office. Vote 8-5. Committee report adopted.

**HB 1442-FN**, relative to objections to proposed agency rules under the administrative procedure act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peter Schmidt for the Majority of Executive Departments and Administration. This bill seeks to add a new criterion as a basis for objection by the Joint Legislative Committee on Administrative Rules (JLCAR) to a proposed agency rule. Specifically, it would permit the committee to be "deemed to have a negative impact on businesses." While such an evaluation might be desirable in a perfect world, the committee recognized that it was too nebulous a concept to be workable and would likely lead mostly to endless wrangling. Vote 12-4.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The minority of the committee wanted to make sure the current anti-business culture of the State of NH could be eliminated. The clause in RSA 541-A "determined not to be in the public interest," is insufficient to stop some of the over-reaching rules that impact businesses in an unfavorable way. The minority supports a "belt and suspenders" approach to making sure that small businesses have a chance to have their voices and concerns raised as various rules are adopted. The clause "Determined not to be in the public interest" has been used to stop some rules from being adopted and adding the option of "Deemed to have a negative impact upon businesses" could be used in the same way to make sure we have a thriving business culture.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, with 222 members having voted in the affirmative and 140 in the negative, the majority committee report was adopted.

**HB 1639-FN**, relative to bonds for public employees. **INEXPEDIENT TO LEGISLATE.**

Rep. John Sytek for Executive Departments and Administration. This bill would permit any citizen injured by a bonded public servant of NH to have first-party recourse under that public servant's bond. That is, a citizen could collect directly from the bond if he or she felt injured by a public servant. Without considering the merits of the policy, there are several problems with the bill that make it unworkable and which would require extensive redrafting. For example, the bill does not specify any process procedure. How would such claims be investigated and verified? What agency would be responsible for evaluating such claims and for due process considerations? Without such an agency to provide safeguards, there could be a chaos of claims. A subcommittee heard from the Department of Administrative Services and from the Attorney General's office. They stated that bonds are issued by bonding companies to protect the state and do not contemplate claims from citizens. We heard that the provisions of this bill would be unique in the United States and no bonding company would countenance such an arrangement. Consequently as a practical matter, NH could not get bonds for its public servants under the circumstances contemplated by this bill. Finally, we heard that the State Board of Claims presently exists for just this purpose. For these reasons, the committee has recommended that the bill be found Inexpedient to Legislate. Vote 14-2. Rep. Sytek spoke in favor.

Rep. Marple spoke against and requested a roll call; sufficiently seconded.

**YEAS 318 NAYS 41**

**YEAS - 318**

**BELKNAP**

Dumais, Russell  
Fraser, Valerie  
Russell, David  
Varney, Peter

Fields, Dennis  
Gallagher, Brian  
Spanos, Peter

Fisher, Robert  
Hurt, George  
Tilton, Franklin

Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

**CARROLL**

Buco, Thomas  
Crawford, Karel  
Parker, Harold

Butler, Edward  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Ticehurst, Susan

Cordelli, Glenn  
Nelson, Bill  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

**COOS**

Fothergill, John  
Rappaport, Laurence  
Tholl, John

Froburg, Alethea  
Richardson, Herbert  
Thomas, Yvonne

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

**GRAFTON**

Abel, Richard  
Brown, Rebecca  
Gionet, Edmond  
Hull, Robert  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Cooney, Mary  
Hennessey, Erin  
Ladd, Rick  
Shackett, Jeffrey  
White, Andrew

Bennett, Travis  
Darrow, Stephen  
Hennessey, Martha  
Maes, Kevin  
Smith, Suzanne

Brown, Duane  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Biggie, Barbara  
Christensen, Chris  
Cornell, Patricia  
Edelblut, Frank  
Freitas, Mary  
Gorman, Mary  
Haefner, Robert  
Harvey, Suzanne  
Hogan, Edith  
Lachance, Joseph  
Mangipudi, Latha  
McCarthy, Peggy  
Notter, Jeanine  
Ohm, Bill  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Snow, Kendall  
Sweeney, Shawn  
Vann, Ivy  
Zaricki, Nick

Ammon, Keith  
Barry, Richard  
Boehm, Ralph  
Christie, Rick  
Cote, David  
Edwards, Elizabeth  
Gagne, Larry  
Gould, Linda  
Halstead, Carolyn  
Heath, Mary  
Jack, Martin  
LeBrun, Donald  
Manley, Jonathan  
McNamara, Richard  
O'Neil, William  
Palmer, Barry  
Porter, Marjorie  
Rouillard, Claire  
Simmons, Tammy  
Soucy, Timothy  
Takesian, Charlene  
Walsh, Robert

Backus, Robert  
Beaulieu, Jane  
Brown, Pamela  
Coffey, James  
Danielson, David  
Flanagan, Jack  
Gargas, Carolyn  
Griffin, Barbara  
Hansberry, Daniel  
Herbert, Christopher  
Judy, Jean  
Leishman, Peter  
Marston, Dick  
Moore, Josh  
Ober, Lynne  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Smith, Gregory  
Sullivan, Daniel  
Twombly, Timothy  
Williams, Kermit

Balcom, John  
Belanger, James  
Byron, Frank  
Cohen, Alan  
DiSilvestro, Linda  
Forest, Armand  
Goley, Jeffrey  
Guerette, C. Lee  
Hansen, Peter  
Hinch, Richard  
Kurk, Neal  
Long, Patrick  
Martel, Andre  
Murotake, David  
Ober, Russell  
Peterson, Ken  
Roberts, Carol  
Seidel, Carl  
Smith, Timothy  
Sullivan, Victoria  
Ulery, Jordan  
Wolf, Terry

**MERRIMACK**

Alicea, Caroletta  
 Deloge, Helen  
 French, Barbara  
 Hill, Gregory  
 Kenison, Linda  
 Long, Douglas  
 McGuire, Carol  
 Parent, Jason  
 Rogers, Katherine  
 Shurtleff, Stephen  
 Wheeler, Deborah

Bartlett, Christy  
 Doherty, David  
 Gile, Mary  
 Hirsch, Geoffrey  
 Kidder, David  
 Luneau, David  
 McGuire, Dan  
 Patten, Dick  
 Saunderson, George  
 Turcotte, Alan

Bradley, Paula  
 Ebel, Karen  
 Henle, Paul  
 Horn, Werner  
 Kotowski, Frank  
 MacKay, James  
 Moffett, Howard  
 Ratzki, Mario  
 Schuett, Dianne  
 Wallner, Mary Jane

Carson, Clyde  
 Frazer, June  
 Hess, David  
 Karrick, David  
 Kuch, Bill  
 Martin, John  
 Myler, Mel  
 Rice, Chip  
 Seaworth, Brian  
 Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
 Bates, David  
 Bush, Carol  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Doucette, Fred  
 Ferrante, Beverly  
 Gordon, Pamela  
 Guthrie, Joseph  
 Introne, Robert  
 Lovejoy, Patricia  
 McBeath, Rebecca  
 Nigrello, Robert  
 Pantelakos, Laura  
 Schroadtter, Adam  
 Sytek, John  
 Vose, Michael  
 Welch, David

Allen, Mary  
 Belanger, Ronald  
 Cahill, Michael  
 Chirichiello, Brian  
 DeSimone, Debra  
 Duarte, Joe  
 Francese, Paula  
 Gordon, Richard  
 Heffron, Frank  
 Kappler, Lawrence  
 Lundgren, David  
 McKinney, Betsy  
 O'Connor, John  
 Peckham, Michele  
 Simpson, Alexis  
 Thomas, Douglas  
 Ward, Gerald  
 Weyler, Kenneth

Azarian, Gary  
 Berrien, Skip  
 Cali-Pitts, Jacqueline  
 Christie, Andrew  
 Devine, James  
 Elliott, Robert  
 Friel, William  
 Green, Dennis  
 Hodgdon, Bruce  
 Katsakiores, Phyllis  
 Major, Norman  
 McMahon, Charles  
 Oigny, Jeffrey  
 Potucek, John  
 Spillane, James  
 Tilton, Rio  
 Ward, Joanne  
 Woitkun, Steven

Barnes, Arthur  
 Borden, David  
 Cardon, G. Thomas  
 Cushing, Robert  
 DiFranco, Debbie  
 Emerick, J. Tracy  
 Gannon, William  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 Matthews, Carolyn  
 Milz, David  
 Packard, Sherman  
 Rice, Frederick  
 Sweeney, Joe  
 True, Chris  
 Webb, James

**STRAFFORD**

Baber, William  
 Bixby, Peter  
 DiSesa, Len  
 Horrigan, Timothy  
 Leeman, Don  
 Smith, Marjorie  
 Stevens, Audrey  
 Ward, Kenneth

Beaudoin, Steven  
 Burton, Wayne  
 Gardner, Janice  
 Jones, Laura  
 Pitre, Joseph  
 Southworth, Thomas  
 Treleaven, Susan

Berube, Roger  
 Cheney, Catherine  
 Gray, James  
 Kaen, Naida  
 Rollo, Deanna  
 Spang, Judith  
 Turcotte, Leonard

Bickford, David  
 Cilley, Jacalyn  
 Hannon, Joseph  
 Knowles, Robert  
 Schmidt, Peter  
 Sprague, Dale  
 Wall, Janet

**SULLIVAN**

Cloutier, John  
 Grenier, James  
 Schmidt, Andrew

Converse, Larry  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 Laware, Thomas

Gottling, Suzanne  
 Rollins, Skip

**NAYS - 41****BELKNAP**

Aldrich, Glen

Howard, Jr., Raymond

Sylvia, Michael

**CARROLL**

Avellani, Lino

Comeau, Ed

Wright, Ted

**CHESHIRE**

McConnell, James

**GRAFTON**

Bailey, Brad

Ingbretson, Paul

Johnson, Eric

**HILLSBOROUGH**

Burt, John

Christiansen, Lars

Donovan, Daniel

Eastman, Eric

Estevez, Eric

Ferreira, Elizabeth

Fromuth, Bart

Gidge, Kenneth

McClarren, Donald

McLean, Mark

Murphy, Keith

O'Brien, William

Parison, James

Sanborn, Laurie

Stepanek, Stephen

**MERRIMACK**

Brewster, Michael

French, Harold

Hoell, J.R.

Marple, Richard

**ROCKINGHAM**

Abramson, Max

Cook, Allen

Harris, Jeffrey

Itse, Daniel

Osborne, Jason

Tucker, Pamela

**STRAFFORD**

DeLemus, Susan

Graham, Robert

Groen, Warren

Kaczynski, Jr., Thomas

Mullen, John

Wuelper, Kurt

and the committee report was adopted.

**HB 1640-FN, relative to the expiration of administrative rules. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill seeks to change the expiration of agency rules from the current 10 years to 2 years. Several members of the ED&A Committee are currently, or have been, members of the Joint Legislative Committee on Administrative Rules (JLCAR) and are very familiar with the current process of rules promulgation. This involves a time line for crafting rules, public hearings and the review of proposed rules by JLCAR. The committee determined that an abbreviated time frame would be logistically impractical and would pose an undue burden on the agency, JLCAR and the relevant policy committees. Vote 11-2.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. This bill attempted to establish a 2-year sunset clause on administrative rules unless the rule was reviewed and approved by the legislative committee with jurisdiction over the subject matter. Concerns were expressed that this would increase the workload on the current committee members. In that rules do have the force of law and these rule changes have a huge impact on individuals and businesses, there was real concern that the current system lacks the necessary checks and balances needed with just the Joint Legislative Committee on Administrative Rules (JLCAR) serving as the gatekeeper. The policy change would allow immediate reaction by those affected by the rule changes to have a means to address the untended consequences of rules with the elected members of the House. A suggestion was made during the executive session to include the "Notices of Proposed Rules" section of the NH Rulemaking Register to the House Calendar as the agenda of the JLCAR meeting. Given the force of law that the rules carry, publishing this additional agenda information in the calendar would give greater exposure to the legislators and the public what is proposed at the next JLCAR meeting. Majority committee report adopted.

**HB 1658-FN, establishing one-stop business permitting. REFER FOR INTERIM STUDY.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill set out to make it much easier for businesses to move or to expand in NH. While there are business development organizations within various political subdivisions, there is a need that has not been met. The chambers of commerce are doing some of this work, and the Department of Resources and Economic Development has been working on collaborating with the prospective businesses. There is no "one-stop" place for businesses to go to. Vote 11-3. Committee report adopted.

**UNANIMOUS CONSENT**

Rep. Leeman requested Unanimous Consent of the House regarding an apology and addressed the House.



**REGULAR CALENDAR CONT'D**

**HB 242**, relative to the statewide improvement and assessment program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Weyler for the Majority of Finance. It has been the policy of this legislature that basic skills must have been achieved by the third grade. Thus we have added money to differentiated aid to assure that students, who have not reached a certain level of proficiency in reading by the third grade, are given extra help in reading skills. This bill adds mathematics to that third grade testing, so that those students who are behind in the minimum acceptable level for math skills can be identified as well. There is no appropriation for this new program. We must discover the extent of the problem before we can talk about funding. The committee supports the policy. Vote 13-12.

Rep. Susan Ford for the Minority of Finance. The minority supports the policy of all third graders demonstrating grade level proficiency in reading and mathematics. This bill requires the Department of Education (DOE) to develop a test to determine if pupils are at grade level in reading and mathematics as part of a statewide assessment program. Since this test has been developed and the DOE monitors student performance, the minority believes that HB 242 is superfluous.

The question being adoption of the majority committee report of Ought to Pass.

On a division vote, with 215 members having voted in the affirmative and 142 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 1428-FN-A-L**, making appropriations to the department of environmental services for the purpose of funding eligible and completed drinking water and wastewater projects under the state aid grant program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Danielson for Finance. This bill as amended directs funding to eligible and completed wastewater projects under the State Aid Grant Program. It establishes a Clean Water State Revolving Fund (CWSRF) non-program account to fund years one and two of eligible and completed wastewater programs in Exeter, Rochester, Portsmouth, Hanover and Littleton. The account is funded in the amount of \$825,933 from surplus funds available in the CWSRF under RSA 486:14, I(b). There is no impact on the general fund. Vote 25-0.

**Amendment (0632h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Environmental Services; Clean Water State Revolving Fund; Non-Program Fund Account. There is hereby established a special nonlapsing account within the department of environmental services known as the clean water state revolving (CWSRF) non-program fund account for the purpose of funding years one and 2 of the payments for the eligible and completed wastewater projects under the state aid grant program in section 2 of this act. Such fund shall be maintained separately and shall not be accounted for in the state's accounting system as general revenue of the state. The account shall be funded in the amount of \$825,933 from the surplus funds available in the clean water state revolving loan management account under RSA 486:14, I(b). The department of environmental services shall file an updated Clean Water State Revolving Loan Fund Intended Use Plan with the U.S. Environmental Protection Agency. Following approval of the plan, the department of environmental services shall commence payments on the tier 2 delayed and deferred projects in section 2 of this act by September 16, 2016 or 45 days after plan approval, whichever is later.

2 Department of Environmental Services. Tier 2 Delayed and Deferred Projects. Funding Authorized.

**FY 2017**

Exeter	130-10 Langdon Ave PS Improvements	\$31,687
Rochester	122-11 WWTP Headworks Upgrade	\$63,346
Portsmouth	106-13 Bartlett Area Sewer Improvements	\$168,944
Portsmouth	106-14 Lincoln Area Sewer Separation - Contract 3A	\$196,936

Hanover	197-04 Water Reclamation Facility Improvements	\$284,051
Littleton	D2004-0416 Bishop Street Sanitary Sewer Infrastructure	\$20,386
Littleton	D2004-0717 Bronson Street Sanitary Sewer Improvements	\$26,345
Littleton	02008-0807 Grove Street & S. Grove Street Sanitary Sewer Replacement	\$34,238
Total Tier 2 Delayed and Deferred Projects		\$825,933

3 Repeal. Clean Water State Revolving Fund, Non-program Fund Account. The CWSRF non-program fund account established in section 1 of this act shall be repealed on the date the commissioner of the department of environmental services certifies to the director of legislative services and the secretary of state that payments on the projects listed in section 2 of this act have been made in full.

4 Effective Date. This act shall take effect on July 1, 2016.

### AMENDED ANALYSIS

This bill establishes the CWSRF non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program. Committee amendment adopted.

Committee report adopted and ordered to third reading.

The House recessed at 11:58 a.m.

### RECESS

The House reconvened at 1:00 p.m.

(Speaker Jasper in the Chair)

### REGULAR CALENDAR CONT'D

**HB 1475-FN-A**, establishing a death benefit for a school employee killed in the line of duty. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph Pitre for the Majority of Finance. This bill provides a benefit of \$100,000 from the state for a school employee who while at work dies a violent death caused by another. This is a benefit that could be negotiated under collective bargaining agreements which are best handled by school district boards. In addition, there is already a death benefit for any school employee covered by the New Hampshire Retirement System, making this additional death benefit redundant. Finally, other state and municipal employees run similar risks as school employees but are not included. Consequently, the committee believes the bill is both unnecessary and unfair. Vote 14-11.

Rep. Katherine Rogers for the Minority of Finance. Since 2013, there have been over 160 school shootings across the country, averaging one violent criminal situation resulting in one death a week. FBI statistics increasingly show education environments are among the top two settings for mass violence. Most New Hampshire school districts have some sort of "lockdown" or "shelter in place" procedures and will do at least two "lockdown" drills a year using emergency plans developed in conjunction with police and fire input. Our state statutes require every public and non public school to develop a site-specific emergency response plan in conformance to the incident command system and the national incident management system - these plans direct the Director of Homeland Security to assist school districts in conducting training for and providing support in the development, implementation and review of any emergency response plans to violent attacks. It is abundantly clear that our school employees now act as first responders when our schools come under attack. This legislature passed "Michael's law" after the murder of Officer Michael Briggs in 2006 which provided a death benefit of \$100,000 to the family of any police officer or firefighter killed in the line of duty. Like police and fire fighters, educators often find themselves on the front line of violent situations, often putting themselves between the assailant and their students. HB 1475 as amended establishes a death benefit for a school employee killed in the line of duty as a result of violence, and it provides for the Commissioner of Education, after consideration and in conjunction with a recommendation of the local school superintendent, to make a determination that the decedent qualifies for the death benefit.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Ford and Eaton spoke against and yielded to questions.

Reps. Weyler and Umberger spoke in favor.

Rep. Rogers spoke against and requested a roll call; sufficiently seconded.

**YEAS 195 NAYS 160****YEAS - 195****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Fields, Dennis  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fisher, Robert  
Howard, Jr., Raymond  
Spanos, Peter  
Varney, Peter

Flanders, Donald  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn  
Ticehurst, Susan

**CHESHIRE**

Hunt, John

Roberts, Kris

Sterling, Franklin

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Brown, Duane  
Ingbretson, Paul  
Shackett, Jeffrey

Brown, Rebecca  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

Hull, Robert  
Piper, Wendy

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Byron, Frank  
Danielson, David  
Ferreira, Elizabeth  
Gagne, Larry  
Griffin, Barbara  
Hinch, Richard  
LeBrun, Donald  
Moore, Josh  
O'Brien, William  
Palmer, Barry  
Pierce, David  
Sanborn, Laurie  
Stepanek, Stephen  
Wolf, Terry

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Flanagan, Jack  
Gargas, Carolyn  
Haefner, Robert  
Hogan, Edith  
Marston, Dick  
Murotake, David  
Ober, Lynne  
Parison, James  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria  
Zaricki, Nick

Balcom, John  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Forest, Armand  
Gonzalez, Carlos  
Halstead, Carolyn  
Hopper, Gary  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Seidel, Carl  
Takesian, Charlene

Barry, Richard  
Burt, John  
Coffey, James  
Estevez, Eric  
Fromuth, Bart  
Gould, Linda  
Hansen, Peter  
Kurk, Neal  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rowe, Robert  
Simmons, Tammy  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Hess, David  
Kidder, David  
Marple, Richard  
Parent, Jason

Deloge, Helen  
Hill, Gregory  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

French, Barbara  
Hoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

French, Harold  
Horn, Werner  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bush, Carol  
DeSimone, Debra  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman

Allen, Mary  
Chase, Francis  
Devine, James  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn

Baldasaro, Alfred  
Cook, Allen  
Duarte, Joe  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy

Bates, David  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
McMahon, Charles

Milz, David  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Tucker, Pamela  
Welch, David

Nigrello, Robert  
Packard, Sherman  
Rice, Frederick  
Sytek, John  
Vose, Michael  
Weyler, Kenneth

O'Connor, John  
Peckham, Michele  
Schroadter, Adam  
Thomas, Douglas  
Ward, Joanne

Oigny, Jeffrey  
Potucek, John  
Spillane, James  
True, Chris  
Webb, James

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Mullen, John

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Pitre, Joseph

DeLemus, Susan  
Groen, Warren  
Knowles, Robert  
Turcotte, Leonard

Gardner, Janice  
Hannon, Joseph  
Leeman, Don  
Wuelper, Kurt

### SULLIVAN

Rollins, Skip

Schmidt, Andrew

Smith, Steven

### NAYS - 160

### BELKNAP

Dumais, Russell

### CARROLL

Buco, Thomas  
Parker, Harold

Butler, Edward

Crawford, Karel

Nelson, Bill

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Ames, Richard  
Eaton, Daniel  
McConnell, James  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

### COOS

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

### GRAFTON

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Sykes, George

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Townsend, Charles

Bennett, Travis  
Hennessey, Erin  
Massimilla, Linda  
White, Andrew

Cooney, Mary  
Hennessey, Martha  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Cohen, Alan  
Donovan, Daniel  
Gorman, Mary  
Heath, Mary  
Leishman, Peter  
McCarthy, Peggy  
Proulx, Mark  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Beaulieu, Jane  
Cornell, Patricia  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Long, Patrick  
McNamara, Richard  
Roberts, Carol  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

Brown, Pamela  
Cote, David  
Gidge, Kenneth  
Hansberry, Daniel  
Jack, Martin  
Mangipudi, Latha  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Twombly, Timothy

Christiansen, Lars  
DiSilvestro, Linda  
Goley, Jeffrey  
Harvey, Suzanne  
Lachance, Joseph  
Manley, Jonathan  
Porter, Marjorie  
Shattuck, Gilman  
Snow, Kendall  
Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
Doherty, David

Bartlett, Christy  
Ebel, Karen

Bradley, Paula  
Frazer, June

Carson, Clyde  
Gile, Mary

Henle, Paul  
 Luneau, David  
 Patten, Dick  
 Saunderson, George  
 Wallner, Mary Jane

Hirsch, Geoffrey  
 MacKay, James  
 Ratzki, Mario  
 Schuett, Dianne  
 Wheeler, Deborah

Karrick, David  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen

Kenison, Linda  
 Myler, Mel  
 Rogers, Katherine  
 Turcotte, Alan

### ROCKINGHAM

Abramson, Max  
 Borden, David  
 Cushing, Robert  
 Francese, Paula  
 McBeath, Rebecca  
 Ward, Gerald

Azarian, Gary  
 Cahill, Michael  
 DiFranco, Debbie  
 Gordon, Pamela  
 Pantelakos, Laura  
 Woitkun, Steven

Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Doucette, Fred  
 Heffron, Frank  
 Simpson, Alexis

Berrien, Skip  
 Cardon, G. Thomas  
 Elliott, Robert  
 Lovejoy, Patricia  
 Tilton, Rio

### STRAFFORD

Baber, William  
 Cheney, Catherine  
 Kaen, Naida  
 Southworth, Thomas  
 Wall, Janet

Berube, Roger  
 Cilley, Jacalyn  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

Bixby, Peter  
 DiSesa, Len  
 Schmidt, Peter  
 Sprague, Dale

Burton, Wayne  
 Horrigan, Timothy  
 Smith, Marjorie  
 Stevens, Audrey

### SULLIVAN

Cloutier, John  
 Grenier, James

Converse, Larry  
 Irwin, Virginia

Gagnon, Raymond  
 Laware, Thomas

Gottling, Suzanne

and the majority committee report was adopted.

Rep. Barbara French voted Yea and intended to vote Nay.

**HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lynne Ober for the Majority of Finance. This bill, as amended, provides additional tools for the Risk Management Division of the Department of Administrative Services (DAS). When the budget was presented by the Governor, the retiree health line was underfunded by \$5.5 million. Then the federal government cut the stipend sent to us for payment of prescription drug coverage for those on Medicare by \$1 million. This stipend comes to the state because state employees do not use a Medicare Part D Plan for prescriptions. Between the time the budget was developed and the fall, prescription usage by retirees had grown so much that an additional \$4 million had been used. This left a \$10.6 million budget hole that DAS and the Fiscal Committee worked to close by amending the plan, changing co-pays and using surplus funds in the account. This bill allows the department to look at other options. One provision will continue the partial premium currently in law for retirees and spouses who turn 65 on or after July 1, 2016. This partial premium will only be paid on the portion of insurance coverage for prescriptions and supplemental coverage to Medicare, so the overall retiree cost will go down once a retiree or spouse becomes 65. Starting January 1, 2017, the agency may propose to change these rates subject to approval as allowed by state law using the approval process already established in law. Another provision allows the department to review the program and suggest needed changes in order to keep the program solvent throughout the biennium and to ensure that the state is not asked to pay the Affordable Care Act Cadillac tax, should that take effect. Finally, provision is made for a consultant to prepare a new long-term plan to fund state retiree health benefits. The \$300,000 cost will come from the risk management fund surplus. Vote 17-8.

Rep. Robert Walsh for the Minority of Finance. This bill seeks to require partial payments of health care costs from some state retirees. Our committee was informed that the health care costs will exceed funds available for such payments in the final month of the current fiscal period. The minority members on this bill are concerned about this shortfall but feel that there are many more sources from which to cover this shortfall than state retirees who are living on reduced and fixed income.

**Majority Amendment (0889h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:

II.(a) The state shall pay a *partial* premium for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption.

*(b) A retired employee and/or spouse receiving medical and surgical benefits provided under this section who becomes eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016, shall continue payment of the percentage of premium contribution determined under paragraph XIII.*

(c) Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

2 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits; Premium Contribution. Amend RSA 21-I:30, XIII to read as follows:

XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse ~~[who are not Medicare eligible and]~~ receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, ~~[a] the premium contribution amount~~ *for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans* based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court~~[-, provided the percentage is not lower than 12.5 percent].~~ *Beginning January 1 2017, the commissioner of administrative services shall determine, with prior approval by the fiscal committee of the general court, a premium contribution amount for Medicare-eligible retiree health benefit plans and a premium contribution amount for non-Medicare-eligible retiree health benefit plans.*

*(b) Retired state employees and/or spouses under subparagraph (a) who become eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016, shall continue payment of the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as approved by the fiscal committee of the general court under subparagraph (a). The commissioner of administrative service is authorized to invoice and collect such contribution amounts.*

(c) The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law.

(d) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

3 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse ~~[who are not Medicare eligible and]~~ receiving medical and surgical benefits provided pursuant to RSA 21-I:30, ~~[a] the premium contribution amount~~ *for either*

**Medicare-eligible or non-Medicare-eligible retiree health benefit plans** based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services with prior approval by the fiscal committee of the general court [~~provided the percentage is not lower than 12.5 percent~~] **under RSA 21-I:30, XIII.**

**(b) The retirement system shall continue to deduct from the monthly retirement allowance of a retired state employee and/or spouse receiving medical and surgical benefits provided pursuant to RSA 21-I:30, who become eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016 the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse as approved by the fiscal committee of the general court under RSA 21-I:30, XIII.**

(c) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

4 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

**I. Retired judges and their applicable spouses [~~who are not Medicare eligible and~~] receiving medical and surgical benefits shall be responsible for payment of [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans** based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court[~~, provided the percentage is not lower than 12.5 percent~~] **under RSA 21-I:30, XIII.**

**II. Retired judges and/or spouses receiving medical and surgical benefits under RSA 21-I:30 who become eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016 shall continue to be responsible for payment of the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse as approved by the fiscal committee of the general court under RSA 21-I:30, XIII.**

**III.** The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

5 Appropriation; Department of Administrative Services; Risk Management; Overtime. In addition to any other sums appropriated, the sum of \$20,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of administrative service for the purpose of overtime charged to the risk management accounting unit, class 18. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

6 Health Care Consultant Contract; Benefit Plan; Appropriation.

**I.** The commissioner of administrative services is hereby authorized to contract with a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. The total amount expended by the department of administrative services for the health care consultant contract, benefit plan design, and training shall not exceed \$300,000.

II. The sum of up to \$300,000 for the biennium ending June 30, 2017 is hereby appropriated to the commissioner of the department of administrative services for the purpose of payment for the cost of the contract with the health care consultant under paragraph I. The source of funds for the appropriation shall be the employee and retiree benefit risk management fund under RSA 21-I:30-e.

7 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public.

8 Repeals; January 1, 2017. The following are repealed:

I. RSA 21-I:30, II(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses who become Medicare eligible.

II. RSA 21-I:30, XIII(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses not receiving a retirement allowance who become Medicare eligible.

III. RSA 100-A:54, III(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses receiving a retirement allowance who become Medicare eligible.

IV. RSA 100-C:11-a, II, relative to continuation of premium contribution amounts for certain retired judges and spouses who become Medicare eligible.

9 Effective Date.

I. Section 8 of this act shall take effect January 1, 2017.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires premium contribution amounts for retiree health benefits for retired state employees who are Medicare eligible. The bill continues the premium contributions for retired persons receiving medical and surgical benefits who become Medicare eligible on or after July 1, 2016 until separate rates are approved effective January 1, 2017. The bill also makes an appropriation to the department of administrative services for a health care consultant to design a long-term retiree health care funding plan.

On a division vote, with 189 members having voted in the affirmative, and 160 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Robert Walsh spoke against.

Rep. Lynne Ober spoke in favor and yielded to questions.

Rep. Wallner requested a roll call; sufficiently seconded.

YEAS 194    NAYS 162

YEAS - 194

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Russell, David	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, James	Roberts, Kris	Sterling, Franklin
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**COOS**

Fothergill, John

Rappaport, Laurence

Rideout, Leon

**GRAFTON**Brown, Duane  
Ingbretson, PaulGionet, Edmond  
Johnson, EricHennessey, Erin  
Piper, Wendy

Hull, Robert

**HILLSBOROUGH**Adams, Christopher  
Belanger, James  
Byron, Frank  
Danielson, David  
Ferreira, Elizabeth  
Gargas, Carolyn  
Halstead, Carolyn  
Kurk, Neal  
Marston, Dick  
Murotake, David  
Ober, Lynne  
Parison, James  
Rice, Kimberly  
Seidel, Carl  
Stepanek, Stephen  
Ulery, JordanAmmon, Keith  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Flanagan, Jack  
Gould, Linda  
Hansen, Peter  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Pellegrino, Anthony  
Rouillard, Claire  
Silva, Peter  
Sullivan, Victoria  
Wolf, TerryBalcom, John  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Griffin, Barbara  
Hinch, Richard  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Peterson, Ken  
Rowe, Robert  
Simmons, Tammy  
Takesian, Charlene  
Zaricki, NickBarry, Richard  
Burt, John  
Coffey, James  
Estevez, Eric  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
Leishman, Peter  
Moore, Josh  
O'Brien, William  
Palmer, Barry  
Pierce, David  
Schleien, Eric  
Smith, Gregory  
Twombly, Timothy**MERRIMACK**French, Harold  
Horn, Werner  
Long, Douglas  
McGuire, DanHess, David  
Kidder, David  
Marple, Richard  
Parent, JasonHill, Gregory  
Kotowski, Frank  
Martin, John  
Seaworth, BrianHoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas**ROCKINGHAM**Abrami, Patrick  
Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Packard, Sherman  
Rice, Frederick  
Thomas, Douglas  
Vose, MichaelAbramson, Max  
Bates, David  
Cook, Allen  
Duarte, Joe  
Friel, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Peckham, Michele  
Spillane, James  
Tilton, Rio  
Webb, JamesAllen, Mary  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Elliott, Robert  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
McMahon, Charles  
Oigny, Jeffrey  
Potucek, John  
Sweeney, Joe  
True, Chris  
Welch, DavidAzarian, Gary  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Milz, David  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth**STRAFFORD**Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Mullen, JohnBickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Pitre, JosephCheney, Catherine  
Groen, Warren  
Knowles, Robert  
Turcotte, LeonardDeLemus, Susan  
Hannon, Joseph  
Leeman, Don  
Wuelper, Kurt**SULLIVAN**

Schmidt, Andrew

Smith, Steven

**NAYS - 162****CARROLL**

Butler, Edward

Crawford, Karel

Nelson, Bill

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael

Chase, Cynthia

Mann, John

Sad, Tara

Weber, Lucy

Ames, Richard

Eaton, Daniel

Pearson, William

Shepardson, Marjorie

Berch, Paul

Johnsen, Gladys

Phillips, Larry

Tatro, Bruce

Bordenet, John

Ley, Douglas

Robertson, Timothy

Tilton, Benjamin

**COOS**

Froburg, Alethea

Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Tholl, John

**GRAFTON**

Abel, Richard

Cooney, Mary

Higgins, Patricia

Shackett, Jeffrey

White, Andrew

Almy, Susan

Darrow, Stephen

Ladd, Rick

Smith, Suzanne

Bennett, Travis

Ford, Susan

Maes, Kevin

Sykes, George

Brown, Rebecca

Hennessey, Martha

Massimilla, Linda

Townsend, Charles

**HILLSBOROUGH**

Backus, Robert

Christiansen, Lars

DiSilvestro, Linda

Freitas, Mary

Gorman, Mary

Heath, Mary

Long, Patrick

McNamara, Richard

Roberts, Carol

Shaw, Barbara

Sullivan, Daniel

Baroody, Benjamin

Cohen, Alan

Donovan, Daniel

Gidge, Kenneth

Guerette, C. Lee

Herbert, Christopher

Mangipudi, Latha

O'Neil, William

Rosenwald, Cindy

Smith, Timothy

Vann, Ivy

Beaulieu, Jane

Cornell, Patricia

Edwards, Elizabeth

Goley, Jeffrey

Hansberry, Daniel

Hopper, Gary

Manley, Jonathan

Porter, Marjorie

Sanborn, Laurie

Snow, Kendall

Walsh, Robert

Brown, Pamela

Cote, David

Forest, Armand

Gonzalez, Carlos

Harvey, Suzanne

Jack, Martin

McCarthy, Peggy

Proulx, Mark

Shattuck, Gilman

Soucy, Timothy

Williams, Kermit

**MERRIMACK**

Alicea, Caroletta

Carson, Clyde

Frazer, June

Hirsch, Geoffrey

MacKay, James

Ratzki, Mario

Schuett, Dianne

Wheeler, Deborah

Bartlett, Christy

Deloge, Helen

French, Barbara

Karrick, David

Moffett, Howard

Rice, Chip

Shurtleff, Stephen

Bradley, Paula

Doherty, David

Gile, Mary

Kenison, Linda

Myler, Mel

Rogers, Katherine

Turcotte, Alan

Brewster, Michael

Ebel, Karen

Henle, Paul

Luneau, David

Patten, Dick

Saunderson, George

Wallner, Mary Jane

**ROCKINGHAM**

Barnes, Arthur

Cahill, Michael

Doucette, Fred

Heffron, Frank

Schroadter, Adam

Woitkun, Steven

Berrien, Skip

Cali-Pitts, Jacqueline

Francese, Paula

Lovejoy, Patricia

Simpson, Alexis

Borden, David

Cushing, Robert

Gordon, Pamela

McBeath, Rebecca

Ward, Gerald

Bush, Carol

DiFranco, Debbie

Green, Dennis

Pantelakos, Laura

Ward, Joanne

**STRAFFORD**

Baber, William

Cilley, Jacalyn

Kaen, Naida

Southworth, Thomas

Wall, Janet

Berube, Roger

DiSesa, Len

Rollo, Deanna

Spang, Judith

Ward, Kenneth

Bixby, Peter

Gardner, Janice

Schmidt, Peter

Sprague, Dale

Burton, Wayne

Horrigan, Timothy

Smith, Marjorie

Stevens, Audrey

## SULLIVAN

Cloutier, John  
Grenier, James

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne

and the majority committee report was adopted and ordered to third reading.

Rep. Irwin declared a conflict of interest and did not participate.

**HB 1670-FN**, relative to public employee suggestions for cost-savings measures. **INEXPEDIENT TO LEGISLATE.**

Rep. Lynne Ober for Finance. This bill represents a laudable effort to reach into the psyche of the state employees to bring forth money saving ideas. The intent is to reward state employees with a 10% cash reward of twelve months' one-year savings. The challenge of the bill is that it is intermingled with the current extraordinary service award RSA which creates confusion within the RSA. There are also issues of timing of award accounting period relative to the passage of the bill. Concern was expressed of employee dissatisfaction with peers or superiors, should an idea be lifted from the employee to the benefit of the peer or supervisor. Perhaps the concept might be reintroduced as a separate section at some time in the future. Vote 21-4.

Committee report adopted.

**HB 1686-FN**, repealing the community heritage investment program. **INEXPEDIENT TO LEGISLATE.**

Rep. David Danielson for Finance. This bill seeks to defund the Land and Community Heritage and Investment Program (LCHIP). Testimony received indicated that over the 15 years of LCHIP (not funded each year) the program has provided 376 grants leveraging \$37 million for local projects. While over 238,000 acres have been acquired by municipalities through the program, an additional benefit to municipal non-profit organizations has been the ability to leverage grants to help in funding other projects - for example, preserving over 218 structures considered worth protecting by the community. In FY15, there were 35 municipalities who received benefits from LCHIP. Currently, there are 89 LCHIP projects committed to and extending through 2018. These benefits are valuable enough to the state and our communities that the committee recommends the bill be Inexpedient to Legislate so that LCHIP can continue to provide its important services. Vote 23-1.

Committee report adopted.

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Karen Umberger for the Majority of Finance. The bill as it passed the House extends the existing New Hampshire Health Protection Plan (also known as Medicaid expansion) for another two years. The extension will not cost the general fund any dollars. The funding for the program will come from voluntary contributions from various charitable foundations. If the voluntary contributions are not received the program will end. The Finance Committee identified that the general fund was incurring administrative costs of approximately \$5.4 million including costs for personnel to screen applicants for the program. The bill as amended will result in these costs being paid for by the voluntary contributions. The committee amendment also makes some technical corrections; including placing the program on a calendar year basis rather than a state fiscal year basis and clarifying the procedure and timing for notifying participants should the program be terminated for lack of sufficient voluntary contributions to cover its costs. Vote 18-8.

Rep. Dan McGuire for the Minority of Finance. While HB 1696, as amended, is designed to have almost no impact on our state budget, that condition rests on the good will of hospitals and insurers. As long as the program is a moneymaker for these large businesses, they will continue to participate, but any time the expenses become higher than expected, for example if the expanded Medicaid population turns out to be less healthy or much larger than expected, they can abandon the program, leaving the state holding the bag. And what happens if the program doesn't work for just a few of the 26 hospitals and they drop out? Will the others take up the slack? But more importantly, expanded Medicaid is very poor public policy. It is a welfare program for able-bodied adults in their working years. The medical insurance provided has features such as no premiums, no co-pays, no deductibles and includes non-emergency transportation that are simply not available to workers with full-time jobs. These benefits create a strong disincentive to full-time employment and career advancement. Social cohesion, productivity and our standard of living will be lost if we make underemployment more attractive than full employment. For these reasons the minority cannot support HB 1696.

**Majority Amendment (0910h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; New Hampshire Health Protection Plan. Amend RSA 126-A:5 by inserting after paragraph XXIX the following new paragraph:

XXX.(a)(1) Newly eligible adults who are unemployed shall be eligible to receive benefits under RSA 126-A:5 XXIV-XXV, if the commissioner finds that the individual is engaging in at least 30 hours per week of one or a combination of the following activities:

- (A) Unsubsidized employment.
- (B) Subsidized private sector employment.
- (C) Subsidized public sector employment.
- (D) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.
- (E) On-the-job training.
- (F) Job search and job readiness assistance.
- (G) Community service programs.
- (H) Vocational educational training not to exceed 12 months with respect to any individual.
- (I) Job skills training directly related to employment.
- (J) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.
- (K) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

(L) The provision of child care services to an individual who is participating in a community service program.

(2) The requirements under subparagraph (1) shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(d).

(3) Grounds for disqualification for benefits under this subparagraph shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(e).

(4) This subparagraph shall only apply to those considered childless, abled-bodied adults as defined in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i). In this subparagraph, "childless" means an adult who does not live with a dependent child which includes a child under 18 years of age or under 20 years of age if the child is a full-time student in a secondary school or the equivalent.

(5) This subparagraph shall not apply to:

(A) A person who is temporarily unable to participate in the requirements under subparagraph (a)(1) due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician assistant, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability.

(B) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.

(C) A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required.

(b) Newly eligible adults who visit the emergency room for non-emergency purposes shall be required to make a co-payment of \$8 for the first visit and \$25 for each and every non-emergency visit thereafter.

(c) All veterans who are current New Hampshire residents shall receive medical and medical-related services from any hospital in this state providing services to the newly eligible Medicaid population.

(d) A person shall not be eligible to enroll or participate in the New Hampshire health protection program, established under RSA 126-A:5, XXIV-XXV, unless such person verifies his or her United States citizenship by 2 forms of identification and proof of New Hampshire residency by either a New Hampshire driver's license or a nondriver's picture identification card issued pursuant to RSA 260:21.

(e) No person, organization, department, or agency shall submit the name of any person to the National Instant Criminal Background Check System (NICS) on the basis that the person has been adjudicated a "mental defective" or has been committed to a mental institution, except pursuant to a court order issued following a hearing in which the person participated and was represented by an attorney.

(f) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by November 1, 2016. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS. If the waiver or state plan is not approved, the commissioner shall immediately, no later than November 1, 2016, notify all program participants that the program has not been reauthorized beyond December 31, 2016.

2 Insurance Premium Tax; New Hampshire Health Protection Program. Amend RSA 400-A:32, III to read as follows:

III.(a) *Except as provided in subparagraph (b)*, the taxes imposed in paragraphs I and II of this section shall be promptly forwarded by the commissioner to the state treasurer for deposit to the general fund.

(b) *Taxes imposed attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI shall be deposited into the New Hampshire health protection trust fund, established in RSA 126-A:5-b. The commissioner shall notify the state treasurer of sums for deposit into the New Hampshire health protection trust fund no later than 30 days after receipt of said taxes.*

3 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(a) to read as follows:

XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, until December 31, [2016] 2018 and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

4 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(c) to read as follows:

(c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, coverage under the voluntary bridge to marketplace premium assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015. Enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, [2016] 2018. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from *non-general fund sources, including* federal funds as provided under 42 U.S.C. section 1396d(y).

5 New Hampshire Health Protection Trust Fund. Amend the introductory paragraph of RSA 126-A:5-b, I to read as follows:

I. There is hereby established the New Hampshire health protection trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The trust fund shall be administered by the commissioner of the department of health and human services and shall be used solely to provide ~~[payment and reimbursement for medical and other medical-related services]~~ *coverage* for the newly eligible Medicaid population as provided for under

RSA 126-A:5, ~~XXXX~~ XXIV-XXVI and RSA 126-A:67 *in qualified health plans on the federal marketplace and pay for the administrative costs for the program. The commissioner may accept any gifts, grants, donations, or other funding from any source and shall deposit all such revenue received into the fund. No state general fund appropriations shall be deposited into the fund.* All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of the trust fund. The trust fund shall be authorized to pay and/or reimburse:

6 New Sections; Funding the State Share of the New Hampshire Health Protection Program; Voluntary Provider Contributions. Amend RSA 126-A by inserting after section 5-b the following new sections:

126-A:5-c Funding the State Share of the New Hampshire Health Protection Program.

I. In this section:

(a) "Program" means the New Hampshire health protection program under RSA 126-A:5, XXIV-XXV.

(b) "Remainder amount" means the cost of the program for coverage effective between January 1, 2017 and June 30, 2017 plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for the related administrative costs; and the cost of the program for coverage effective between July 1, 2017 and December 31, 2018, plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for administrative costs attributable to the program, and taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI, consistent with RSA 400-A:32, III(b).

II. Funding for the program from January 1, 2017 until December 31, 2018 shall not be funded from general funds. The program shall be funded as follows:

(a) Federal funds as made available by 42 U.S.C. section 1396d(y)(1).

(b) Revenue generated under RSA 400-A:32, III(b).

(c) Other non-general fund revenues.

III. If the commissioner determines that at any time the sum total of the federal match rate applied, as set forth in 42 U.S.C. section 1396d(y)(1), and insurance premium tax revenues attributable to the program and revenue from non-general fund sources is insufficient to fully fund the program for newly eligible adults under RSA 126-A:5, XXIV-XXV, then RSA 126-A:5, XXIV and XXV shall be repealed 180 days after such determination upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services and consistent with the terms of the waiver for this program issued by the Centers for Medicare and Medicaid Services. Upon such determination, the commissioner shall immediately issue notice to program participants of the program's pending repeal.

IV. On or before August 15th of each year, the department of health and human services, in consultation with the insurance department, shall calculate the remainder amount pursuant to this section for the next calendar year. The remainder amount shall be calculated utilizing estimated insurance premium taxes attributable to medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI for each calendar year. The commissioner of health and human services shall report the remainder amounts to the insurance department, any contributing charitable foundation, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president.

V. After the close of each calendar year, on or before January 15th, the department of health and human services, in consultation with the insurance department, shall recalculate the remainder amount utilizing actual insurance premium tax revenues attributable to medical and other medical-related services for the newly eligible Medicaid population provided for under RSA 126-A:5, XXIV-XXVI for the completed calendar year. The commissioner of health and human services shall compare the remainder amount calculations under this paragraph with the remainder amount calculations under paragraph IV and report the results to the insurance department, any contributing charitable foundation, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president. Any difference between amounts calculated under paragraphs IV and V for a completed calendar year shall be added to the remainder amount due and payable during the current calendar year. In the event that actual program costs are less than funds received, the difference shall be credited against the remaining amount for the next payable period.

VI. The commissioner of the department of health and human services shall be responsible for determining, on a quarterly basis commencing no later than December 31, 2016, whether there is sufficient funding in the New Hampshire health protection trust fund, established in RSA 126-A:5-b, to cover projected program costs for the non-federal share for the next quarter. If at any time the commissioner determines that a projected shortfall exists, he or she shall terminate the program in accordance with paragraph III.

126-A:5-d Voluntary Provider Contributions. For the period of January 1, 2017 through December 31, 2018, voluntary provider donations received from the Foundation for Healthy Communities or any other charitable foundation may be deposited into the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.

7 Individual Health Insurance Market; Purpose. Amend RSA 404-G:1, II to read as follows:

II. Create a nonprofit, voluntary organization to facilitate the availability of affordable individual nongroup health insurance by establishing an assessment mechanism and an individual health insurance market mandatory risk sharing plan as a mechanism to distribute the risks associated within the individual nongroup market *and to support the marketplace premium assistance program established in RSA 126-A:5, XXV.*

8 Individual Health Insurance Market; Definitions. Amend RSA 404-G:2, X-a to read as follows:

X-a. "Plan of operation" means the plan of operation of the risk sharing mechanism, the high risk pool, *support for the program established in RSA 126-A:5, XXV*, and the federally qualified high risk pool, including articles, bylaws and operating rules, procedures and policies adopted by the association.

9 New Paragraph; Individual Health Insurance Market; Definitions. Amend RSA 404-G:2 by inserting after paragraph X-b the following new paragraph:

X-c. "Program" means the marketplace premium assistance program established pursuant to RSA 126-A:5, XXIV.

10 Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(b) and (c) to read as follows:

(b) Established no later than November 1 in the year preceding the calendar year for which the carrier's experience shall be used to calculate the assessment; ~~and~~

(c) Anticipated to be sufficient to meet the high risk pool's funding needs *and the association's share of the costs of the program, as defined in subparagraph (d); and*

*(d) For the period of January 1, 2017 through December 31, 2018, an amount not to exceed 50 percent of the remainder amount, as defined in RSA 126-A:5-c, I(b), less the amount made available to the program pursuant to RSA 404-G:11, VI. The association shall transfer all amounts collected pursuant to this subparagraph and the amount made available to the program pursuant to RSA 404-G:11, VI to the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.*

11 High Risk Pool; Termination Activities and Dissolution. Amend RSA 404-G:11, VI to read as follows:

VI. Following the cessation of coverage on December 31, 2013, the association shall take such actions as are necessary and desirable to wind down its affairs under this chapter in accordance with the plan of termination. The association shall retain all of its powers and duties, including, but not limited to, its power to establish and collect regular and special assessments under RSA 404-G:5 and RSA 404-G:5-a, and the immunity provided by RSA 404-G:9 and the bylaws of the association. Any excess funds remaining after the satisfaction of all of the association's liabilities shall be ~~returned to the association's members in proportion to their respective liability for the last regular assessments imposed by the association~~ *used for the program and for the association's reasonable costs for collecting its share of the remainder amount.*

*VI-a. No later than October 1, 2016, the board of directors shall prepare and submit to the commissioner and the commissioner of health and human services for approval an amendment to the plan of termination that provides for the continuation of the association for the limited purpose of compliance with the provisions of RSA 404-G:5-a, IV(d).*

12 New Section; Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program. Amend RSA 126-A by inserting after section 126-A:5-d the following new section:

126-A:5-e Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program.

I. There is hereby established a commission to evaluate the effectiveness and future of the premium assistance program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate, appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of an insurance carrier that offers policies for sale in New Hampshire on the exchange, appointed by the senate president.

(6) A representative of a hospital that operates in New Hampshire, appointed by the speaker of the house of representatives.

(7) A public member, who is a taxpayer, appointed by the senate president.

(8) A public member, who currently receives insurance coverage through the program, appointed by the speaker of the house of representatives.

(9) A licensed physician, appointed by the governor.

(10) A licensed mental health professional, appointed by the governor.

(11) A masters level licensed alcohol and drug counselor, appointed by the governor.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

II.(a) The commission shall evaluate the effectiveness and future of the premium assistance program. Specifically the commission shall:

(1) Review the program's financial metrics

(2) Review the program's product offerings.

(3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to whether the premium assistance program is the most cost-effective model for the long term versus a return to private market managed care.

(5) Evaluate non-general fund funding options for longer term continuation of the program.

(b) Any funding solutions recommended by the commission shall not include the use of new general funds.

(c) The commission shall solicit information from any person or entity the commission deems relevant to its study.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

IV. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2017.

13 New Hampshire Health Protection Program. Amend 2014, 3:10, I to read as follows:

I. If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, ~~[XXXH] XXIV-XXV~~ between July 1, 2014 – December 31, 2016 is less than 100 percent, *less than 95 percent in 2017 and less than 94 percent in 2018*, of the amount as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5~~[-XXXH;]~~ XXIV~~[-XXIV];~~ and XXV shall ~~[immediately]~~ *be repealed 180 days after the event under this subparagraph occurs* upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services. *The commissioner shall immediately issue notice to program participants of the program's pending repeal.*

14 New Hampshire Health Protection Plan Extended. Amend 2014, 3:13, I-a as amended by 2015, 276:260 to read as follows:

I-a. Section 12, paragraphs II-VII of this act shall take effect December 31, ~~[2016]~~ *2018*.

15 Repeal. RSA 126-A:5-e, relative to the commission to evaluate the effectiveness and future of the premium assistance program, is repealed.

16 Effective Date.

I. Section 2 of this act shall take effect July 1, 2017.

II. Section 15 of this act shall take effect December 1, 2017.



## III. The remainder of this act shall take effect upon its passage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Umberger offered floor amendment (0902h).

**Floor Amendment (0902h)**

Amend RSA 126-A:5, XXX(a) as inserted by section 1 of the bill by inserting after subparagraph (5) the following new subparagraph:

(6) If any provision of subparagraph (a), (c), or (d), or the application thereof to any person or circumstance, is held invalid, including, but not limited to, being contrary to federal law or not approved by the Centers for Medicare and Medicaid Services(CMS) in necessary state plan amendments or waivers, such determination shall not affect the provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of these subparagraphs are severable.

Reps. Umberger and Leishman spoke in favor.

Reps. Hoell, Lynne Ober and Simmons spoke against.

Rep. Stephen Schmidt spoke in favor and yielded to questions.

Rep. Hannon requested a roll call; sufficiently seconded.

**YEAS 182 NAYS 181****YEAS - 182****BELKNAP**

Flanders, Donald

**CARROLL**

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

Nelson, Bill

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Fothergill, John  
Rappaport, Laurence

Frobürg, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Higgins, Patricia  
Smith, Suzanne

Almy, Susan  
Darrow, Stephen  
Maes, Kevin  
Sykes, George

Bennett, Travis  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Brown, Rebecca  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Bakus, Robert  
Booras, Efstathia  
Cote, David  
Freitas, Mary  
Gorman, Mary  
Heath, Mary  
Jasper, Shawn  
Long, Patrick  
McNamara, Richard  
Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

Balcom, John  
Brown, Pamela  
DiSilvestro, Linda  
Gargas, Carolyn  
Guerette, C. Lee  
Herbert, Christopher  
Lachance, Joseph  
Mangipudi, Latha  
O'Neil, William  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Baroody, Benjamin  
Cohen, Alan  
Edwards, Elizabeth  
Gidge, Kenneth  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Cornell, Patricia  
Forest, Armand  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Roberts, Carol  
Smith, Timothy  
Takesian, Charlene

**MERRIMACK**

Alicea, Caroletta  
 Deloge, Helen  
 French, Barbara  
 Karrick, David  
 MacKay, James  
 Ratzki, Mario  
 Schuett, Dianne  
 Wheeler, Deborah

Bartlett, Christy  
 Doherty, David  
 Gile, Mary  
 Kenison, Linda  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen

Bradley, Paula  
 Ebel, Karen  
 Henle, Paul  
 Kotowski, Frank  
 Myler, Mel  
 Rogers, Katherine  
 Turcotte, Alan

Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Luneau, David  
 Patten, Dick  
 Saunderson, George  
 Wallner, Mary Jane

**ROCKINGHAM**

Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Friel, William  
 Heffron, Frank  
 Matthews, Carolyn  
 Pantelakos, Laura

Berrien, Skip  
 Cardon, G. Thomas  
 Devine, James  
 Gordon, Pamela  
 Hoelzel, Kathleen  
 McBeath, Rebecca  
 Simpson, Alexis

Borden, David  
 Chase, Francis  
 DiFranco, Debbie  
 Griffin, Mary  
 Lovejoy, Patricia  
 McMahon, Charles  
 Tilton, Rio

Cahill, Michael  
 Cushing, Robert  
 Francese, Paula  
 Guthrie, Joseph  
 Major, Norman  
 Milz, David  
 Ward, Gerald

**STRAFFORD**

Baber, William  
 Burton, Wayne  
 Horrigan, Timothy  
 Smith, Marjorie  
 Stevens, Audrey

Berube, Roger  
 Cilley, Jacalyn  
 Kaen, Naida  
 Southworth, Thomas  
 Treleven, Susan

Bickford, David  
 DiSesa, Len  
 Rollo, Deanna  
 Spang, Judith  
 Wall, Janet

Bixby, Peter  
 Gardner, Janice  
 Schmidt, Peter  
 Sprague, Dale  
 Ward, Kenneth

**SULLIVAN**

Cloutier, John  
 Grenier, James

Converse, Larry  
 Irwin, Virginia

Gagnon, Raymond  
 Laware, Thomas

Gottling, Suzanne  
 Schmidt, Andrew

**NAYS - 181****BELKNAP**

Aldrich, Glen  
 Fraser, Valerie  
 LeBreche, Shari  
 Tilton, Franklin

Dumais, Russell  
 Gallagher, Brian  
 Russell, David  
 Vadney, Herbert

Fields, Dennis  
 Howard, Jr., Raymond  
 Spanos, Peter  
 Varney, Peter

Fisher, Robert  
 Hurt, George  
 Sylvia, Michael

**CARROLL**

Avellani, Lino  
 McCarthy, Frank

Chandler, Gene  
 McConkey, Mark

Comeau, Ed  
 Parker, Harold

Cordelli, Glenn  
 Wright, Ted

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Rideout, Leon

Tholl, John

**GRAFTON**

Brown, Duane  
 Ingretson, Paul

Gionet, Edmond  
 Johnson, Eric

Hennessey, Erin  
 Ladd, Rick

Hull, Robert  
 Shackett, Jeffery

**HILLSBOROUGH**

Adams, Christopher  
 Biggie, Barbara  
 Byron, Frank  
 Coffey, James  
 Edelblut, Frank

Ammon, Keith  
 Boehm, Ralph  
 Christensen, Chris  
 Danielson, David  
 Estevez, Eric

Barry, Richard  
 Bouldin, Amanda  
 Christiansen, Lars  
 Donovan, Daniel  
 Ferreira, Elizabeth

Belanger, James  
 Burt, John  
 Christie, Rick  
 Eastman, Eric  
 Flanagan, Jack

Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Kurk, Neal	Marston, Dick
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Silva, Peter	Simmons, Tammy
Smith, Gregory	Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Bush, Carol	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Gordon, Richard	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Lundgren, David	McKinney, Betsy	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadtter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

**SULLIVAN**

Rollins, Skip                      Smith, Steven  
and floor amendment (0902h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (0921h).

**Floor Amendment (0921h)**

Amend RSA 126-A:5, XXX as inserted by section 1 of the bill by replacing it with the following:

XXX.(a)(1) Newly eligible adults who are eligible to receive benefits under RSA 126-A:5, XXIV-XXV who visit the emergency room for non-emergency purposes shall be required to make a co-payment of \$8 for the first visit and \$25 for each and every non-emergency visit thereafter.

(2) All veterans who are current New Hampshire residents shall receive medical and medical-related services from any hospital in this state providing services to the newly eligible Medicaid population eligible to receive benefits under RSA 126-A:5, XXIV-XXV.

(3) A person shall not be eligible to enroll or participate in the New Hampshire health protection program, established under RSA 126-A:5, XXIV-XXV, unless such person verifies his or her United States citizenship by 2 forms of identification and proof of New Hampshire residency by either a New Hampshire driver's license or a nondriver's picture identification card issued pursuant to RSA 260:21.

(4) No person, organization, department, or agency shall submit the name of any person eligible to receive benefits under RSA 126-A:5, XXIV-XXV to the National Instant Criminal Background Check System (NICS) on the basis that the person has been adjudicated a “mental defective” or has been committed to a mental institution, except pursuant to a court order issued following a hearing in which the person participated and was represented by an attorney.

(b) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by November 1, 2016. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS. If the waiver or state plan is not approved, the commissioner shall immediately, no later than November 1, 2016, notify all program participants that the program has not been reauthorized beyond December 31, 2016.

Rep. Hoell spoke in favor.

Rep. Kotowski spoke against.

**MOTION TO LAY ON THE TABLE**

Rep. Simmons moved that **HB 1696-FN**, requesting a modification of the New Hampshire health protection program, be laid on the table.

Rep. William O’Brien requested a roll call; sufficiently seconded.

**YEAS 137    NAYS 221**

**YEAS - 137**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Russell, David
Spanos, Peter	Sylvia, Michael	Vadney, Herbert	Varney, Peter

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
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**CHESHIRE**

Hunt, John	McConnell, James
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**COOS**

Rideout, Leon

**GRAFTON**

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Barry, Richard	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christie, Rick
Coffey, James	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gould, Linda	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Kurk, Neal	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O’Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Gregory
Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy
Ulery, Jordan			

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Marple, Richard  
Parent, Jason

French, Harold  
Horn, Werner  
Martin, John  
Seaworth, Brian

Hess, David  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hill, Gregory  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bush, Carol  
Emerick, J. Tracy  
Green, Dennis  
Kappller, Lawrence  
Osborne, Jason  
Schroadter, Adam  
True, Chris  
Welch, David

Abramson, Max  
Cook, Allen  
Ferrante, Beverly  
Harris, Jeffrey  
Kolodziej, Walter  
Potucek, John  
Spillane, James  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Gannon, William  
Hodgdon, Bruce  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Vose, Michael

Bates, David  
Duarte, Joe  
Gordon, Richard  
Itse, Daniel  
Oigny, Jeffrey  
Rice, Frederick  
Thomas, Douglas  
Ward, Joanne

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Jones, Laura  
Mullen, John

Graham, Robert  
Kaczynski, Jr., Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Turcotte, Leonard

**SULLIVAN**

Rollins, Skip

**NAYS - 221****BELKNAP**

Fields, Dennis

Flanders, Donald

Tilton, Franklin

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold  
Wright, Ted

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Sterling, Franklin

**COOS**

Fothergill, John  
Rappaport, Laurence  
Thomas, Yvonne

Froburg, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Hennessey, Erin  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Darrow, Stephen  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Bennett, Travis  
Ford, Susan  
Higgins, Patricia  
Smith, Suzanne

Brown, Rebecca  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Belanger, James  
Christensen, Chris

Balcom, John  
Booras, Efstathia  
Christiansen, Lars

Baroody, Benjamin  
Bouldin, Amanda  
Cohen, Alan

Beaulieu, Jane  
Brown, Pamela  
Cornell, Patricia

Cote, David  
Gargas, Carolyn  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
O'Neil, William  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Danielson, David  
Gidge, Kenneth  
Griffin, Barbara  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
Marston, Dick  
Palmer, Barry  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Forest, Armand  
Goley, Jeffrey  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Long, Patrick  
McCarthy, Peggy  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

Freitas, Mary  
Gonzalez, Carlos  
Haefner, Robert  
Herbert, Christopher  
Lachance, Joseph  
Mangipudi, Latha  
McNamara, Richard  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

### ROCKINGHAM

Allen, Mary  
Borden, David  
Chase, Francis  
Devine, James  
Franchise, Paula  
Guthrie, Joseph  
Katsakiores, Phyllis  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Ward, Gerald

Azarian, Gary  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Friel, William  
Heffron, Frank  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Simpson, Alexis  
Webb, James

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Doucette, Fred  
Gordon, Pamela  
Hoelzel, Kathleen  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Sytek, John  
Woitkun, Steven

Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Elliott, Robert  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Tilton, Rio

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Schmidt, Peter  
Sprague, Dale  
Ward, Kenneth

Berube, Roger  
Cilley, Jacalyn  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bixby, Peter  
Gardner, Janice  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

### SULLIVAN

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Schmidt, Andrew

and the motion failed.

The question now being adoption of floor amendment (0921h).  
Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 14 NAYS 344**

**YEAS - 14  
BELKNAP**

Hurt, George

Varney, Peter

**GRAFTON**

Ingbretson, Paul

**HILLSBOROUGH**Danielson, David  
Murotake, David

Ferreira, Elizabeth

Flanagan, Jack

McLean, Mark

**MERRIMACK**

Hess, David

**ROCKINGHAM**

Elliott, Robert

McBeath, Rebecca

Vose, Michael

**STRAFFORD**

Pitre, Joseph

Wuelper, Kurt

**NAYS - 344****BELKNAP**Aldrich, Glen  
Fraser, Valerie  
Russell, David  
Vadney, HerbertDumais, Russell  
Gallagher, Brian  
Spanos, PeterFields, Dennis  
Howard, Jr., Raymond  
Sylvia, MichaelFlanders, Donald  
LeBreche, Shari  
Tilton, Franklin**CARROLL**Avellani, Lino  
Comeau, Ed  
McConkey, Mark  
Ticehurst, SusanBuco, Thomas  
Cordelli, Glenn  
Nelson, Bill  
Umberger, KarenButler, Edward  
Crawford, Karel  
Parker, Harold  
Wright, TedChandler, Gene  
McCarthy, Frank  
Schmidt, Stephen**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, LucyAmes, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Sterling, FranklinBerch, Paul  
Hunt, John  
McConnell, James  
Robertson, Timothy  
Tatro, BruceBordenet, John  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Tilton, Benjamin**COOS**Fothergill, John  
Rappaport, Laurence  
Tholl, JohnFroburg, Alethea  
Richardson, Herbert  
Thomas, YvonneHatch, William  
Rideout, LeonMoynihan, Wayne  
Theberge, Robert**GRAFTON**Abel, Richard  
Brown, Rebecca  
Gionet, Edmond  
Hull, Robert  
Massimilla, Linda  
Sykes, GeorgeAlmy, Susan  
Cooney, Mary  
Hennessey, Erin  
Johnson, Eric  
Piper, Wendy  
Townsend, CharlesBennett, Travis  
Darrow, Stephen  
Hennessey, Martha  
Ladd, Rick  
Shackett, Jeffrey  
White, AndrewBrown, Duane  
Ford, Susan  
Higgins, Patricia  
Maes, Kevin  
Smith, Suzanne**HILLSBOROUGH**Adams, Christopher  
Baroody, Benjamin  
Biggie, Barbara  
Brown, Pamela  
Christiansen, Lars  
Cornell, Patricia  
Edelblut, Frank  
Fromuth, Bart  
Goley, JeffreyAmmon, Keith  
Barry, Richard  
Boehm, Ralph  
Burt, John  
Christie, Rick  
Cote, David  
Estevez, Eric  
Gagne, Larry  
Gonzalez, CarlosBackus, Robert  
Beaulieu, Jane  
Booras, Efstathia  
Byron, Frank  
Coffey, James  
Donovan, Daniel  
Forest, Armand  
Gargasz, Carolyn  
Gorman, MaryBalcom, John  
Belanger, James  
Bouldin, Amanda  
Christensen, Chris  
Cohen, Alan  
Eastman, Eric  
Freitas, Mary  
Gidge, Kenneth  
Gould, Linda

Griffin, Barbara  
 Hansberry, Daniel  
 Herbert, Christopher  
 Jack, Martin  
 LeBrun, Donald  
 Manley, Jonathan  
 McNamara, Richard  
 O'Brien, William  
 Ohm, Bill  
 Peterson, Ken  
 Rice, Kimberly  
 Rowe, Robert  
 Shaw, Barbara  
 Smith, Timothy  
 Sullivan, Daniel  
 Twombly, Timothy  
 Williams, Kermit

Guerette, C. Lee  
 Hansen, Peter  
 Hinch, Richard  
 Jeudy, Jean  
 Leishman, Peter  
 Marston, Dick  
 Moore, Josh  
 O'Neil, William  
 Palmer, Barry  
 Pierce, David  
 Roberts, Carol  
 Sanborn, Laurie  
 Silva, Peter  
 Snow, Kendall  
 Sullivan, Victoria  
 Ulery, Jordan  
 Wolf, Terry

Haefner, Robert  
 Harvey, Suzanne  
 Hogan, Edith  
 Kurk, Neal  
 Long, Patrick  
 McCarthy, Peggy  
 Murphy, Keith  
 Ober, Lynne  
 Parison, James  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Seidel, Carl  
 Simmons, Tammy  
 Soucy, Timothy  
 Sweeney, Shawn  
 Vann, Ivy

Halstead, Carolyn  
 Heath, Mary  
 Hopper, Gary  
 Lachance, Joseph  
 Mangipudi, Latha  
 McClarren, Donald  
 Notter, Jeanine  
 Ober, Russell  
 Pellegrino, Anthony  
 Proulx, Mark  
 Rouillard, Claire  
 Shattuck, Gilman  
 Smith, Gregory  
 Stepanek, Stephen  
 Takesian, Charlene  
 Walsh, Robert

### MERRIMACK

Alicea, Caroletta  
 Carson, Clyde  
 Frazer, June  
 Henle, Paul  
 Horn, Werner  
 Kotowski, Frank  
 MacKay, James  
 McGuire, Dan  
 Patten, Dick  
 Saunderson, George  
 Turcotte, Alan

Bartlett, Christy  
 Deloge, Helen  
 French, Barbara  
 Hill, Gregory  
 Karrick, David  
 Kuch, Bill  
 Marple, Richard  
 Moffett, Howard  
 Ratzki, Mario  
 Schuett, Dianne  
 Wallner, Mary Jane

Bradley, Paula  
 Doherty, David  
 French, Harold  
 Hirsch, Geoffrey  
 Kenison, Linda  
 Long, Douglas  
 Martin, John  
 Myler, Mel  
 Rice, Chip  
 Seaworth, Brian  
 Walsh, Thomas

Brewster, Michael  
 Ebel, Karen  
 Gile, Mary  
 Hoell, J.R.  
 Kidder, David  
 Luneau, David  
 McGuire, Carol  
 Parent, Jason  
 Rogers, Katherine  
 Shurtleff, Stephen  
 Wheeler, Deborah

### ROCKINGHAM

Abrami, Patrick  
 Baldasaro, Alfred  
 Borden, David  
 Cardon, G. Thomas  
 Cushing, Robert  
 DiFranco, Debbie  
 Ferrante, Beverly  
 Gordon, Pamela  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Major, Norman  
 Milz, David  
 Osborne, Jason  
 Potucek, John  
 Simpson, Alexis  
 Thomas, Douglas  
 Ward, Gerald  
 Weyler, Kenneth

Abramson, Max  
 Barnes, Arthur  
 Bush, Carol  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Doucette, Fred  
 Francese, Paula  
 Gordon, Richard  
 Harris, Jeffrey  
 Introne, Robert  
 Kolodziej, Walter  
 Matthews, Carolyn  
 Nigrello, Robert  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Spillane, James  
 Tilton, Rio  
 Ward, Joanne  
 Woitkun, Steven

Allen, Mary  
 Bates, David  
 Cahill, Michael  
 Christie, Andrew  
 DeSimone, Debra  
 Duarte, Joe  
 Friel, William  
 Green, Dennis  
 Heffron, Frank  
 Itse, Daniel  
 Lovejoy, Patricia  
 McKinney, Betsy  
 O'Connor, John  
 Pantelakos, Laura  
 Rice, Frederick  
 Sweeney, Joe  
 True, Chris  
 Webb, James

Azarian, Gary  
 Berrien, Skip  
 Cali-Pitts, Jacqueline  
 Cook, Allen  
 Devine, James  
 Emerick, J. Tracy  
 Gannon, William  
 Griffin, Mary  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Lundgren, David  
 McMahon, Charles  
 Oligny, Jeffrey  
 Peckham, Michele  
 Schroadter, Adam  
 Sytek, John  
 Tucker, Pamela  
 Welch, David

### STRAFFORD

Baber, William  
 Bixby, Peter  
 DiSesa, Len

Beaudoin, Steven  
 Burton, Wayne  
 Gardner, Janice

Berube, Roger  
 Cilley, Jacalyn  
 Graham, Robert

Bickford, David  
 DeLemus, Susan  
 Gray, James



Groen, Warren  
Kaczynski, Jr., Thomas  
Mullen, John  
Southworth, Thomas  
Treleven, Susan

Hannon, Joseph  
Kaen, Naida  
Rollo, Deanna  
Spang, Judith  
Turcotte, Leonard

Horrigan, Timothy  
Knowles, Robert  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Jones, Laura  
Leeman, Don  
Smith, Marjorie  
Stevens, Audrey  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Grenier, James  
Schmidt, Andrew  
and floor amendment (0921h) failed.

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Rollins, Skip

Reps. Elliott, Vose and Ferreira voted Yea and intended to vote Nay.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (0920h).

### Floor Amendment (0920h)

Amend the title of the bill by replacing it with the following:

AN ACT requesting a modification of the New Hampshire health protection program and establishing Keno.

Amend the bill by replacing all after section 15 with the following:

16 New Subdivision; Keno. Amend RSA 284 by inserting after section 40 the following new subdivision:

#### Keno

284:41 Definition. In this subdivision, "keno" means any game where a player purchases a ticket from a field of 80 numbers and selects a specific amount of numbers. A random number generator employed by the lottery commission chooses 20 numbers at random and the player is paid out against his or her original wager.

284:42 Administration and Enforcement. The lottery commission shall administer and enforce this subdivision relative to keno games operating in a town or city that has voted to allow such gaming.

284:43 Rulemaking. The lottery commission shall adopt rules, pursuant to RSA 541-A, relative to:

- I. The application procedure for keno licenses.
- II. Information to be required on license applications.
- III. Procedures for a hearing following the revocation of a license.
- IV. The operation of keno games, including types and amounts of wagers.
- V. Information required and forms for submission of financial reports.

#### 284:44 License Fees.

I. The license fee for a commercial premises keno license issued under RSA 284:46 shall be \$500 per year. Such fee shall be submitted to the lottery commission at the time the application is made and shall be refunded if the application is denied.

II. All net proceeds collected by the lottery commission under this section and RSA 284:47 shall be deposited in the education trust fund established under RSA 198:39.

#### 284:45 License Applications.

I. Applications shall be submitted to the lottery commission by the licensee. Proof of authority to submit the application on behalf of the licensee may be required.

II. Applications shall be made only on the forms supplied to the licensee by the lottery commission.

III. The application form shall be fully completed by the licensee.

IV. Applicants for commercial premises keno licenses shall be submitted at least 30 days before the first game date.

V. The applicant shall certify under oath that:

(a) The information provided on the application is accurate.

(b) Neither the applicant nor any employee will operate keno games if such person has been convicted of a felony within the previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any state.

(c) The applicant and any employee who will be participating in the operation of the keno games is aware of all statutes and rules applicable to the operation of keno games.

VI. To be eligible for licensure under this subdivision an applicant shall:

(a) Document that it is one of the following:

(1) A restaurant or hotel holding a valid liquor license under RSA 178:20, II, RSA 178:21, II(a) or (b), or RSA 178:22, V(q).

(2) A brew pub holding a valid liquor license under RSA 178:13.

(3) A ballroom holding a valid liquor license under RSA 178:22, V(c).

(4) A veterans' club, private club, or social club holding a valid liquor license under RSA 178:22, V(h).

(5) A convention center holding a valid liquor license under RSA 178:22, V(i).

(6) A hotel holding a valid liquor license under RSA 178:22, V(k).

(7) A racetrack holding a valid liquor license under RSA 178:22, V(n).

(8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).

(b) Document that the keno games will only be operated in towns and cities that have voted to allow the operation of keno games pursuant to RSA 284:51.

(c) Maintain a current list of employees.

VII. Any suspension or revocation of a liquor license shall result in the immediate suspension of the keno license issued under this chapter.

284:46 License; Issuance.

I. Upon receipt of an application under RSA 284:45 the lottery commission shall review the application and shall, in writing, grant or deny the application within 45 days of receipt.

II. The lottery commission shall deny a license application for any one of the following reasons:

(a) The license of the applicant has been previously revoked by the commission.

(b) The applicant has been convicted of a crime provided for in this chapter or in any other chapter for any gaming offense.

(c) The applicant loses his or her liquor license after submitting the application.

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or in any other state shall be licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

284:47 Operation of Keno Games.

I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11 p.m.

II. A licensee may retain 8 percent of the proceeds from keno games. Of the remaining 92 percent:

(a) One percent shall be paid to the department of health and human services to support research, prevention, intervention, and treatment services for problem gamblers.

(b) The remainder, less the administrative costs of the lottery commission and prize payouts, shall be deposited in the education trust fund established under RSA 198:39.

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or any other state shall operate a keno game licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

284:48 Financial Reports and Inspection Required.

I. Any person which has been licensed to conduct keno games shall submit a complete financial report to the lottery commission for each license issued under RSA 284:46 within 15 days after the expiration of each license, provided, however, a complete monthly financial report shall be submitted in a timely fashion to the commission for each month covered by a license issued under RSA 284:46 on a form to be approved by the lottery commission.

II. All licensees shall maintain a separate checking account for the deposit and disbursement of all income relating to keno, except cash prizes awarded at the games. All expenses shall be paid by check, and all prizes of \$500 or more shall be paid by check. No keno funds shall be commingled with other funds of the licensee. The licensee shall retain all cancelled checks for the payment of expenses and prizes for at least 2 years from the date of the check. The licensee shall not cash checks which it issues.

III. All financial reports filed by the licensee shall be maintained by the lottery commission for a period of one year from the date of filing and shall be open to public inspection.

IV. All financial records pertaining to the operation of keno games shall be maintained by the licensee and shall be made available to representatives of the lottery commission or of the commissioner of the department of safety upon request.

V. A licensee which has been licensed to conduct keno games shall maintain complete and accurate documentation of all revenues and expenses contained in the financial reports for at least 2 years from the date the financial report is filed.

284:49 Suspension; Revocation. The commission may suspend or revoke the license of any licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall not be eligible for licensure for a period of up to one year from the date of revocation.

284:50 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny or revoke a keno license may apply to the commission for a rehearing within 15 business days of the decision. Rehearings and appeals shall be governed by RSA 541.

284:51 Local Option.

I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of keno games within the town or city?"

II. If a majority of those voting on the question vote "Yes," keno games may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of keno games may consider rescinding its action in the manner described in paragraph I of this section.

V. The lottery commission shall maintain a list of municipalities where keno is available.

17 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as follows:

(65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, **RSA 284:44, RSA 284:47**, and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.

18 Education Trust Fund Creation and Investments; Keno Profits Added. Amend RSA 198:39, I(k) to read as follows:

**(k) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:47, relative to keno profits.**

**(l) Any other moneys appropriated from the general fund.**

19 Effective Date.

I. Section 2 of this act shall take effect July 1, 2017.

II. Section 15 of this act shall take effect December 1, 2017.

III. Sections 16-19 of this act shall take effect January 1, 2017.

IV. The remainder of this act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. This bill also allows veterans who are New Hampshire residents to receive services under the New Hampshire health protection program.

This bill also:

I. Allows the operation and playing of keno games.

II. Provides for licensing of keno game operators by the lottery commission.

III. Directs revenues from keno to the department of health and human services to address problem gamblers and to the education trust fund.

Reps. Hoell and Lynne Ober spoke in favor.

Rep. Umberger spoke against.

Rep. Spillane requested a roll call; sufficiently seconded.

**YEAS 126    NAYS 233**

**YEAS - 126**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fraser, Valerie	Howard, Jr., Raymond
Sylvia, Michael	Vadney, Herbert		

**CARROLL**

Avellani, Lino	Cordelli, Glenn
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**CHESHIRE**

Hunt, John	McConnell, James	Sterling, Franklin	Tilton, Benjamin
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**COOS**

Rideout, Leon	Tholl, John
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**GRAFTON**

Brown, Duane	Gionet, Edmond	Hennessey, Erin	Hull, Robert
Ingbreton, Paul	Shackett, Jeffrey		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christie, Rick	Donovan, Daniel	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry
Gould, Linda	Hansen, Peter	Hogan, Edith	Kurk, Neal
Marston, Dick	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Rice, Kimberly	Rouillard, Claire
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Gregory
Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy
Ulery, Jordan			

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Baldasaro, Alfred	Bates, David
Bush, Carol	Chirichiello, Brian	Christie, Andrew	Dean-Bailey, Yvonne
DeSimone, Debra	Doucette, Fred	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Gordon, Richard	Green, Dennis	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Lundgren, David	Major, Norman	O'Connor, John	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroader, Adam
Spillane, James	Sweeney, Joe	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth		

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Pitre, Joseph

DeLemus, Susan  
Jones, Laura  
Turcotte, Leonard

Graham, Robert  
Kaczynski, Jr., Thomas

Groen, Warren  
Knowles, Robert

**SULLIVAN**

Rollins, Skip

**NAYS - 233****BELKNAP**

Fields, Dennis  
LeBreche, Shari  
Varney, Peter

Flanders, Donald  
Russell, David

Gallagher, Brian  
Spanos, Peter

Hurt, George  
Tilton, Franklin

**CARROLL**

Buco, Thomas  
Crawford, Karel  
Parker, Harold  
Wright, Ted

Butler, Edward  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Ticehurst, Susan

Comeau, Ed  
Nelson, Bill  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Fothergill, John  
Rappaport, Laurence

Froborg, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Darrow, Stephen  
Johnson, Eric  
Piper, Wendy  
White, Andrew

Bennett, Travis  
Ford, Susan  
Ladd, Rick  
Smith, Suzanne

Brown, Rebecca  
Hennessey, Martha  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Coffey, James  
Danielson, David  
Fromuth, Bart  
Gonzalez, Carlos  
Haefner, Robert  
Heath, Mary  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Baroody, Benjamin  
Bouldin, Amanda  
Cohen, Alan  
Eastman, Eric  
Gargas, Carolyn  
Gorman, Mary  
Halstead, Carolyn  
Herbert, Christopher  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Beaulieu, Jane  
Brown, Pamela  
Cornell, Patricia  
Forest, Armand  
Gidge, Kenneth  
Griffin, Barbara  
Hansberry, Daniel  
Hinch, Richard  
Lachance, Joseph  
Mangipudi, Latha  
O'Neil, William  
Proulx, Mark  
Sanborn, Laurie  
Snow, Kendall  
Vann, Ivy

Belanger, James  
Christiansen, Lars  
Cote, David  
Freitas, Mary  
Goley, Jeffrey  
Guerette, C. Lee  
Harvey, Suzanne  
Hopper, Gary  
LeBrun, Donald  
Manley, Jonathan  
Parison, James  
Roberts, Carol  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara

Bartlett, Christy  
Doherty, David  
Gile, Mary

Bradley, Paula  
Ebel, Karen  
Henle, Paul

Carson, Clyde  
Frazer, June  
Hess, David

Hirsch, Geoffrey  
Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Karrick, David  
Long, Douglas  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Kenison, Linda  
Luneau, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Kidder, David  
MacKay, James  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

### ROCKINGHAM

Allen, Mary  
Borden, David  
Chase, Francis  
DiFranco, Debbie  
Friel, William  
Harris, Jeffrey  
Lovejoy, Patricia  
McMahon, Charles  
Packard, Sherman  
Sytek, John

Azarian, Gary  
Cahill, Michael  
Cook, Allen  
Elliott, Robert  
Gordon, Pamela  
Heffron, Frank  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Tilton, Rio

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Ferrante, Beverly  
Griffin, Mary  
Hoelzel, Kathleen  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Ward, Gerald

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Francese, Paula  
Guthrie, Joseph  
Introne, Robert  
McKinney, Betsy  
Oigny, Jeffrey  
Simpson, Alexis  
Woitkun, Steven

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Mullen, John  
Southworth, Thomas  
Treleaven, Susan

Berube, Roger  
Cilley, Jacalyn  
Horrigan, Timothy  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Schmidt, Peter  
Sprague, Dale  
Ward, Kenneth

Bixby, Peter  
Gardner, Janice  
Leeman, Don  
Smith, Marjorie  
Stevens, Audrey  
Wuelper, Kurt

### SULLIVAN

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Schmidt, Andrew

and floor amendment (0920h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Rideout spoke against and yielded to questions.  
Reps. Hoell, Hannon, Sanborn, Dan McGuire and Burt spoke against.  
Reps. Rosenwald and Stephen Schmidt spoke in favor and yielded to questions.  
Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 216 NAYS 145**

### YEAS - 216

### BELKNAP

Fields, Dennis

Flanders, Donald

LeBreche, Shari

Tilton, Franklin

### CARROLL

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold  
Wright, Ted

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Sterling, Franklin

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Smith, Suzanne

Bennett, Travis  
Ford, Susan  
Maes, Kevin  
Sykes, George

Brown, Rebecca  
Hennessey, Erin  
Massimilla, Linda  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Belanger, James  
Christensen, Chris  
Cote, David  
Forest, Armand  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
O'Neil, William  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Balcom, John  
Booras, Efstathia  
Christiansen, Lars  
Danielson, David  
Freitas, Mary  
Gonzalez, Carlos  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Palmer, Barry  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Baroody, Benjamin  
Bouldin, Amanda  
Cohen, Alan  
Edwards, Elizabeth  
Gargas, Carolyn  
Gorman, Mary  
Heath, Mary  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Pierce, David  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Beaulieu, Jane  
Brown, Pamela  
Cornell, Patricia  
Flanagan, Jack  
Gidge, Kenneth  
Guerette, C. Lee  
Herbert, Christopher  
Lachance, Joseph  
Mangipudi, Latha  
O'Brien, William  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Azarian, Gary  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Friel, William  
Heffron, Frank  
Major, Norman  
Milz, David  
Simpson, Alexis  
Welch, David

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Doucette, Fred  
Gordon, Pamela  
Hoelzel, Kathleen  
Matthews, Carolyn  
Nigrello, Robert  
Sytek, John  
Woitkun, Steven

Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Elliott, Robert  
Griffin, Mary  
Katsakiores, Phyllis  
McBeath, Rebecca  
O'Connor, John  
Tilton, Rio

Borden, David  
Chase, Francis  
Devine, James  
Francese, Paula  
Guthrie, Joseph  
Lovejoy, Patricia  
McMahon, Charles  
Pantelakos, Laura  
Ward, Gerald

**STRAFFORD**

Baber, William  
Burton, Wayne  
Gray, James  
Schmidt, Peter  
Sprague, Dale  
Ward, Kenneth

Berube, Roger  
Cilley, Jacalyn  
Horriang, Timothy  
Smith, Marjorie  
Stevens, Audrey

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bixby, Peter  
Gardner, Janice  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Schmidt, Andrew

**NAYS - 145****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Sylvia, Michael

Dumais, Russell  
Howard, Jr., Raymond  
Vadney, Herbert

Fisher, Robert  
Hurt, George  
Varney, Peter

Fraser, Valerie  
Spanos, Peter

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Brown, Duane  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Coffey, James  
Estevez, Eric  
Gould, Linda  
Hansen, Peter  
Kurk, Neal  
Moore, Josh  
Ober, Lynne  
Pellegrino, Anthony  
Sanborn, Laurie  
Simmons, Tammy  
Sweeney, Shawn

Ammon, Keith  
Burt, John  
Donovan, Daniel  
Ferreira, Elizabeth  
Griffin, Barbara  
Hogan, Edith  
Marston, Dick  
Murotake, David  
Ober, Russell  
Peterson, Ken  
Schleien, Eric  
Smith, Gregory  
Twombly, Timothy

Barry, Richard  
Byron, Frank  
Eastman, Eric  
Fromuth, Bart  
Haefner, Robert  
Hopper, Gary  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Rice, Kimberly  
Seidel, Carl  
Stepanek, Stephen  
Ulery, Jordan

Biggie, Barbara  
Christie, Rick  
Edelblut, Frank  
Gagne, Larry  
Halstead, Carolyn  
Infantine, William  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Rouillard, Claire  
Silva, Peter  
Sullivan, Victoria  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Marple, Richard  
Parent, Jason

French, Harold  
Horn, Werner  
Martin, John  
Seaworth, Brian

Hess, David  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hill, Gregory  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Dean-Bailey, Yvonne  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
Packard, Sherman  
Rice, Frederick  
Thomas, Douglas  
Ward, Joanne

Abramson, Max  
Bush, Carol  
Duarte, Joe  
Gordon, Richard  
Introne, Robert  
McKinney, Betsy  
Peckham, Michele  
Schroadter, Adam  
True, Chris  
Webb, James

Allen, Mary  
Chirichiello, Brian  
Emerick, J. Tracy  
Green, Dennis  
Itse, Daniel  
Oigny, Jeffrey  
Potucek, John  
Spillane, James  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Cook, Allen  
Ferrante, Beverly  
Harris, Jeffrey  
Kappler, Lawrence  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Vose, Michael



**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Jones, Laura  
Mullen, John

Graham, Robert  
Kaczynski, Jr., Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Turcotte, Leonard

**SULLIVAN**

Rollins, Skip

and the majority committee report was adopted and ordered to third reading.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. William O'Brien moved that the House reconsider its action whereby, on a roll call vote of 216-145, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

Rep. Hinch spoke against.

Rep. William O'Brien spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 146 NAYS 214**

**YEAS - 146****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Spanos, Peter

Dumais, Russell  
Howard, Jr., Raymond  
Sylvia, Michael

Fisher, Robert  
Hurt, George  
Vadney, Herbert

Fraser, Valerie  
Russell, David  
Varney, Peter

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Chandler, Gene  
Parker, Harold

Comeau, Ed  
Wright, Ted

Cordelli, Glenn

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Brown, Duane  
Ingbreton, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Byron, Frank  
Eastman, Eric  
Flanagan, Jack  
Griffin, Barbara  
Hopper, Gary  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Peterson, Ken  
Sanborn, Laurie  
Smith, Gregory  
Twombly, Timothy

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Halstead, Carolyn  
Infantine, William  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Pierce, David  
Schleien, Eric  
Stepanek, Stephen  
Ulery, Jordan

Balcom, John  
Bouldin, Amanda  
Coffey, James  
Edwards, Elizabeth  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
Moore, Josh  
O'Brien, William  
Parison, James  
Rice, Kimberly  
Seidel, Carl  
Sullivan, Victoria  
Zaricki, Nick

Barry, Richard  
Burt, John  
Donovan, Daniel  
Ferreira, Elizabeth  
Gould, Linda  
Hogan, Edith  
Marston, Dick  
Murotake, David  
Ober, Lynne  
Pellegrino, Anthony  
Rouillard, Claire  
Simmons, Tammy  
Sweeney, Shawn

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Marple, Richard  
Parent, Jason

French, Harold  
Horn, Werner  
Martin, John  
Seaworth, Brian

Hess, David  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hill, Gregory  
Long, Douglas  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Cook, Allen  
Ferrante, Beverly  
Green, Dennis  
Kappler, Lawrence  
Potucek, John  
Spillane, James  
Tucker, Pamela

Abramson, Max  
Dean-Bailey, Yvonne  
Friel, William  
Harris, Jeffrey  
Kolodziej, Walter  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Vose, Michael

Baldasaro, Alfred  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Oigny, Jeffrey  
Rice, Frederick  
Thomas, Douglas  
Ward, Joanne

Bates, David  
Emerick, J. Tracy  
Gordon, Richard  
Itse, Daniel  
Osborne, Jason  
Schroader, Adam  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Leeman, Don

DeLemus, Susan  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

**SULLIVAN**

Rollins, Skip

Smith, Steven

**NAYS - 214****BELKNAP**

Fields, Dennis

Flanders, Donald

LeBreche, Shari

Tilton, Franklin

**CARROLL**

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Sterling, Franklin

**COOS**

Fothergill, John  
Richardson, Herbert

Froborg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihn, Wayne  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Higgins, Patricia  
Smith, Suzanne

Almy, Susan  
Darrow, Stephen  
Maes, Kevin  
Sykes, George

Bennett, Travis  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Brown, Rebecca  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Cohen, Alan  
Estevez, Eric  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Jeudy, Jean

Baroody, Benjamin  
Brown, Pamela  
Cornell, Patricia  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Lachance, Joseph

Beaulieu, Jane  
Christensen, Chris  
Cote, David  
Freitas, Mary  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald

Belanger, James  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter

Long, Patrick  
McNamara, Richard  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Mangipudi, Latha  
O'Neil, William  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Manley, Jonathan  
Palmer, Barry  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

McCarthy, Peggy  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

### ROCKINGHAM

Allen, Mary  
Borden, David  
Cardon, G. Thomas  
Cushing, Robert  
Elliott, Robert  
Guthrie, Joseph  
Katsakiores, Phyllis  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Ward, Gerald

Azarian, Gary  
Bush, Carol  
Chase, Francis  
Devine, James  
Francese, Paula  
Heffron, Frank  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Simpson, Alexis  
Webb, James

Barnes, Arthur  
Cahill, Michael  
Chirichiello, Brian  
DiFranco, Debbie  
Gordon, Pamela  
Hoelzel, Kathleen  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Sytek, John  
Welch, David

Berrien, Skip  
Cali-Pitts, Jacqueline  
Christie, Andrew  
Doucette, Fred  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Tilton, Rio  
Woitkun, Steven

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Berube, Roger  
Cilley, Jacalyn  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale  
Ward, Kenneth

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Smith, Marjorie  
Stevens, Audrey

Bixby, Peter  
Gardner, Janice  
Mullen, John  
Southworth, Thomas  
Treleaven, Susan

### SULLIVAN

Cloutier, John  
Grenier, James  
and the motion failed.

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Schmidt, Andrew

### (Rep. Packard in the Chair)

### REGULAR CALENDAR CONT'D

**HB 1178**, relative to the taking of black bear assisted by a licensed guide. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas Long for the Majority of Fish and Game and Marine Resources. By administrative rule, the Department of Fish and Game currently issues up to 50 bear guide permits each year, with each allowed up to six bear baiting sites. This site limit has been in effect for 15 years. Each guide may also assist in the taking of up to six bears. Currently the success rate is 30%. No further bait sites or an increase in the take limit are needed. These limits should all remain in rules. When the quota is filled for bear kill, the department can shut down the season. The committee heard argument that this is a business issue. The majority felt that guides know the economics of their business when they open shop. The bill could also put the balance of the sportsmen at a disadvantage when it comes to bear harvest. The NH Guides Association, the NH Wildlife Federation, and the Department of Fish and Game all opposed this bill. Vote 11-2.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This is a business bill. It will allow guide businesses to book more hunters in a season, thereby bringing more revenue to the state not only in hunting licenses, but also in Meals and Rooms Tax, and it will generate business for these industries.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Webb spoke in favor.

Rep. Spillane spoke against and requested a roll call; sufficiently seconded.

## YEAS 217 NAYS 122

### YEAS - 217

#### BELKNAP

Fields, Dennis	Flanders, Donald	Gallagher, Brian	Hurt, George
LeBreche, Shari	Russell, David		

#### CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	Nelson, Bill	Ticehurst, Susan	

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

#### COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

#### GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

#### HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Booras, Efstathia	Brown, Pamela	Byron, Frank
Christensen, Chris	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Donovan, Daniel	Edwards, Elizabeth	Flanagan, Jack
Freitas, Mary	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Infantine, William	Jack, Martin
Judy, Jean	Kurk, Neal	Lachance, Joseph	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
McCarthy, Peggy	McNamara, Richard	Ober, Lynne	Ober, Russell
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Sweeney, Shawn	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	

#### MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Ebel, Karen	Frazer, June	Henle, Paul

Karrick, David  
Long, Douglas  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Kenison, Linda  
Luneau, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Kidder, David  
MacKay, James  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Cardon, G. Thomas  
Cushing, Robert  
Francese, Paula  
Guthrie, Joseph  
Kolodziej, Walter  
McBeath, Rebecca  
O'Connor, John  
Simpson, Alexis  
Webb, James

Azarian, Gary  
Bush, Carol  
Chase, Francis  
Devine, James  
Friel, William  
Heffron, Frank  
Lovejoy, Patricia  
McKinney, Betsy  
Pantelakos, Laura  
Sytek, John  
Welch, David

Barnes, Arthur  
Cahill, Michael  
Chirichiello, Brian  
Elliott, Robert  
Gordon, Pamela  
Hoelzel, Kathleen  
Major, Norman  
McMahon, Charles  
Peckham, Michele  
Tilton, Rio  
Woitkun, Steven

Berrien, Skip  
Cali-Pitts, Jacqueline  
Christie, Andrew  
Ferrante, Beverly  
Griffin, Mary  
Katsakiores, Phyllis  
Matthews, Carolyn  
Milz, David  
Rice, Frederick  
Ward, Gerald

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Horrigan, Timothy  
Schmidt, Peter  
Stevens, Audrey

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Smith, Marjorie  
Treleaven, Susan

Bixby, Peter  
Gardner, Janice  
Mullen, John  
Southworth, Thomas  
Wall, Janet

Burton, Wayne  
Gray, James  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James

### NAYS - 122

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Vadney, Herbert

Dumais, Russell  
Spanos, Peter  
Varney, Peter

Fisher, Robert  
Sylvia, Michael

Fraser, Valerie  
Tilton, Franklin

### CARROLL

Avellani, Lino  
Wright, Ted

Comeau, Ed

McCarthy, Frank

McConkey, Mark

### CHESHIRE

McConnell, James

Roberts, Kris

### COOS

### GRAFTON

Brown, Duane  
Johnson, Eric

Darrow, Stephen

Hull, Robert

Ingbretson, Paul

### HILLSBOROUGH

Adams, Christopher  
Burt, John  
Eastman, Eric  
Forest, Armand  
Hansen, Peter  
McClarren, Donald

Baroody, Benjamin  
Christiansen, Lars  
Edelblut, Frank  
Fromuth, Bart  
Hogan, Edith  
McLean, Mark

Belanger, James  
Christie, Rick  
Estevez, Eric  
Gould, Linda  
Hopper, Gary  
Moore, Josh

Boehm, Ralph  
Danielson, David  
Ferreira, Elizabeth  
Halstead, Carolyn  
LeBrun, Donald  
Murotake, David

Murphy, Keith  
Ohm, Bill  
Rouillard, Claire  
Simmons, Tammy  
Twombly, Timothy

Notter, Jeanine  
Parison, James  
Sanborn, Laurie  
Smith, Gregory  
Ulery, Jordan

O'Brien, William  
Pierce, David  
Schleien, Eric  
Stepanek, Stephen  
Zaricki, Nick

O'Neil, William  
Rice, Kimberly  
Seidel, Carl  
Sullivan, Victoria

### MERRIMACK

Brewster, Michael  
Hoell, J.R.  
McGuire, Carol

Doherty, David  
Horn, Werner  
McGuire, Dan

French, Harold  
Kuch, Bill  
Parent, Jason

Hill, Gregory  
Martin, John  
Seaworth, Brian

### ROCKINGHAM

Abramson, Max  
Cook, Allen  
Emerick, J. Tracy  
Harris, Jeffrey  
Kappler, Lawrence  
Potucek, John  
Sweeney, Joe  
Vose, Michael

Allen, Mary  
Dean-Bailey, Yvonne  
Gannon, William  
Hodgdon, Bruce  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, Joanne

Baldasaro, Alfred  
DiFranco, Debbie  
Gordon, Richard  
Introne, Robert  
Oigny, Jeffrey  
Schroadtter, Adam  
True, Chris  
Weyler, Kenneth

Bates, David  
Duarte, Joe  
Green, Dennis  
Itse, Daniel  
Osborne, Jason  
Spillane, James  
Tucker, Pamela

### STRAFFORD

Cheney, Catherine  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

Hannon, Joseph  
Leeman, Don

### SULLIVAN

Converse, Larry  
and the majority committee report was adopted.

#### **HB 1548-FN, prohibiting the trade of shark fins. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ivy Vann for the Majority of Fish and Game and Marine Resources. The majority of the committee agrees with the Fish and Game Department that current law adequately prohibits the practice of shark finning in New Hampshire waters. Vote 10-2.

Rep. Jonathan Manley for the Minority of Fish and Game and Marine Resources. Shark fins should be illegal. Being able to take them from the animal once on shore is a loophole that needs attention.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Rogers spoke against.

Rep. Webb spoke in favor, yielded to questions and requested a roll call; not sufficiently seconded. On a division vote, with 238 members having voted in the affirmative, and 101 in the negative, the majority committee report was adopted.

#### **HB 1310, establishing a commission to study health care for all residents of New Hampshire. REFER FOR INTERIM STUDY.**

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. The committee recognized the potential benefits of an in-depth study of alternative health coverage and delivery option for New Hampshire. However, the bill itself was incomplete. The committee expressed a commitment to further work on a bill that would promote a study of this timely issue. Vote 10-4. Committee report adopted.

#### **HB 1420, relative to controlled drug prescription health and safety information. OUGHT TO PASS WITH AMENDMENT.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill strengthens the prescription drug-monitoring program (PDMP) and it allows authorized law enforcement officials quicker access when they have reason to investigate fraud. This bill does not allow anyone to have direct access to the PDMP. Prior authorization for law enforcement must be on a case-by-case basis and must comply with the law. Access may be denied. Vote 11-6.

**Amendment (0833h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Controlled Drug Prescription Health and Safety; Definitions. Amend RSA 318-B:31 by inserting after paragraph IX the following new paragraph:

X. "Law enforcement official" shall have the same meaning as in RSA 318-B:1, XIV-a.

2 Controlled Drug Prescription Health and Safety Program. Amend RSA 318-B:35, I(b)(3) to read as follows:

(3) Authorized law enforcement officials on a case-by-case basis for the purpose of investigation and prosecution of a criminal offense ~~[when presented with a court order based on probable cause. No law enforcement agency or official shall have direct access to the program]~~ *pursuant to the following sections: RSA 318-B:2, V-VI; RSA 318-B:2, VIII; RSA 318-B:2, X; RSA 318-B:2, XII-a; RSA 318-B:21; or RSA 318-B:25. For the purpose of investigation and prosecution of a criminal offense under any other provision of RSA 318-B, law enforcement officials may receive information contained in the prescription health and safety program upon presentment of a court order based on probable cause. No law enforcement agency or official shall have direct access to the program or its database.*

3 Effective Date. This act shall take effect January 1, 2017.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Weber spoke against and yielded to questions.

Rep. Joanne Ward spoke in favor and yielded to questions.

Rep. Itse requested a roll call; sufficiently seconded.

**YEAS 155 NAYS 195****YEAS - 155****BELKNAP**

Dumais, Russell  
Tilton, Franklin

Fields, Dennis  
Vadney, Herbert

Gallagher, Brian

Russell, David

**CARROLL**

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Pearson, William  
Sterling, Franklin

Chase, Cynthia  
Phillips, Larry  
Tilton, Benjamin

Eaton, Daniel  
Robertson, Timothy

Mann, John  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Tholl, John

Hatch, William  
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

**GRAFTON**

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy

Gionet, Edmond  
Ladd, Rick

Hennessey, Erin  
Maes, Kevin

Hennessey, Martha  
Massimilla, Linda

**HILLSBOROUGH**

Backus, Robert  
Beaulieu, Jane  
Cohen, Alan  
Forest, Armand  
Gorman, Mary  
Heath, Mary

Balcom, John  
Belanger, James  
Cornell, Patricia  
Freitas, Mary  
Griffin, Barbara  
Herbert, Christopher

Baroody, Benjamin  
Booras, Efsthathia  
Donovan, Daniel  
Goley, Jeffrey  
Haefner, Robert  
Hinch, Richard

Barry, Richard  
Brown, Pamela  
Flanagan, Jack  
Gonzalez, Carlos  
Hansberry, Daniel  
Hogan, Edith

Infantine, William  
Marston, Dick  
O'Neil, William  
Pierce, David  
Sanborn, Laurie  
Walsh, Robert

LeBrun, Donald  
McCarthy, Peggy  
Ohm, Bill  
Porter, Marjorie  
Shattuck, Gilman  
Williams, Kermit

Leishman, Peter  
McNamara, Richard  
Palmer, Barry  
Proulx, Mark  
Snow, Kendall  
Wolf, Terry

Long, Patrick  
Notter, Jeanine  
Pellegrino, Anthony  
Roberts, Carol  
Takesian, Charlene

### MERRIMACK

Alicea, Caroletta  
Gile, Mary  
Karrick, David  
Parent, Jason

Bradley, Paula  
Henle, Paul  
Kenison, Linda  
Wallner, Mary Jane

Ebel, Karen  
Hess, David  
Kotowski, Frank

Frazer, June  
Horn, Werner  
Luneau, David

### ROCKINGHAM

Abrami, Patrick  
Cardon, G. Thomas  
Doucette, Fred  
Friel, William  
Hoelzel, Kathleen  
Matthews, Carolyn  
O'Connor, John  
Schroadter, Adam  
Ward, Joanne

Azarian, Gary  
Chirichiello, Brian  
Elliott, Robert  
Griffin, Mary  
Introne, Robert  
McMahon, Charles  
Pantelakos, Laura  
Simpson, Alexis  
Weyler, Kenneth

Borden, David  
Devine, James  
Emerick, J. Tracy  
Guthrie, Joseph  
Katsakiores, Phyllis  
Milz, David  
Potucek, John  
Sytek, John

Cahill, Michael  
DiFranco, Debbie  
Francesse, Paula  
Heffron, Frank  
Major, Norman  
Nigrello, Robert  
Rice, Frederick  
Tilton, Rio

### STRAFFORD

Bickford, David  
Gray, James  
Schmidt, Peter  
Wuelper, Kurt

Bixby, Peter  
Kaen, Naida  
Smith, Marjorie

DiSesa, Len  
Mullen, John  
Spang, Judith

Gardner, Janice  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Grenier, James

### NAYS - 195

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Sylvia, Michael

Fisher, Robert  
Hurt, George  
Varney, Peter

Flanders, Donald  
LeBreche, Shari

Fraser, Valerie  
Spanos, Peter

### CARROLL

Avellani, Lino  
Ticehurst, Susan

Buco, Thomas  
Wright, Ted

Comeau, Ed

McCarthy, Frank

### CHESHIRE

Ames, Richard  
Johnsen, Gladys  
Sad, Tara

Berch, Paul  
Ley, Douglas  
Weber, Lucy

Bordenet, John  
McConnell, James

Hunt, John  
Roberts, Kris

### COOS

Frobürg, Alethea

Moynihan, Wayne

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Abel, Richard  
Brown, Rebecca  
Ingbreton, Paul  
Townsend, Charles

Almy, Susan  
Darrow, Stephen  
Johnson, Eric  
White, Andrew

Bennett, Travis  
Ford, Susan  
Smith, Suzanne

Brown, Duane  
Hull, Robert  
Sykes, George



**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Cote, David
Danielson, David	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gidge, Kenneth	Gould, Linda	Guerette, C. Lee	Halstead, Carolyn
Hansen, Peter	Harvey, Suzanne	Hopper, Gary	Jack, Martin
Judy, Jean	Kurk, Neal	Lachance, Joseph	Mangipudi, Latha
Manley, Jonathan	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	O'Brien, William	Ober, Lynne
Ober, Russell	Parison, James	Peterson, Ken	Rice, Kimberly
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Schleien, Eric
Seidel, Carl	Shaw, Barbara	Simmons, Tammy	Smith, Gregory
Smith, Timothy	Soucy, Timothy	Sullivan, Daniel	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	Vann, Ivy
Zaricki, Nick			

**MERRIMACK**

Bartlett, Christy	Brewster, Michael	Carson, Clyde	Deloge, Helen
Doherty, David	French, Harold	Hill, Gregory	Hoell, J.R.
Kidder, David	Kuch, Bill	Long, Douglas	Mackay, James
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Saunderson, George	Schuett, Dianne	Seaworth, Brian
Shurtleff, Stephen	Turcotte, Alan	Wheeler, Deborah	

**ROCKINGHAM**

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Berrien, Skip	Bush, Carol	Cali-Pitts, Jacqueline
Chase, Francis	Christie, Andrew	Cook, Allen	Cushing, Robert
Dean-Bailey, Yvonne	Duarte, Joe	Ferrante, Beverly	Gannon, William
Gordon, Pamela	Gordon, Richard	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter
Lovejoy, Patricia	McBeath, Rebecca	McKinney, Betsy	Oligny, Jeffrey
Osborne, Jason	Peckham, Michele	Prudhomme-O'Brien, Katherine	Spillane, James
Sweeney, Joe	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Gerald	Webb, James	Welch, David
Woitkun, Steven			

**STRAFFORD**

Baber, William	Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	Graham, Robert	Groen, Warren	Hannon, Joseph
Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Pitre, Joseph	Southworth, Thomas	Sprague, Dale
Treleaven, Susan	Turcotte, Leonard	Wall, Janet	

**SULLIVAN**

Gagnon, Raymond	Laware, Thomas	Rollins, Skip
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and the committee report failed.

Rep. Rosenwald moved Inexpedient to Legislate.

On a division vote, with 286 members having voted in the affirmative, and 64 in the negative, the motion was adopted.

**HB 1453**, relative to qualifying medical conditions for purposes of therapeutic cannabis. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James MacKay for the Majority of Health, Human Services and Elderly Affairs. The majority of the committee felt that the orderly process followed by the NH Department of Health and Human Services in implementing the medical cannabis legislation has been done in a careful and thoughtful

way. It is felt that the opening of the dispensaries is eminent. The Cannabis Advisory Council will assume the responsibility of evaluating the effectiveness of this program. Needed modification will be considered for future legislation including these in this legislation. Vote 9-6.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. Members of the minority were persuaded that the symptoms of ulcerative colitis are very similar to the symptoms of Crohn's disease, which is already included in the list of qualifying medical conditions. Thus, we believe it would be unfair to afford relief to one group of patients and not to the other.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Luneau spoke against.

Rep. MacKay spoke in favor and yielded to questions.

Rep. Jones requested a roll call; sufficiently seconded.

## YEAS 89 NAYS 257

### YEAS - 89

#### BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Russell, David
Spanos, Peter	Tilton, Franklin		

#### CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Nelson, Bill	Schmidt, Stephen	Umberger, Karen	

#### CHESHIRE

Eaton, Daniel	Hunt, John	Johnsen, Gladys
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#### COOS

Richardson, Herbert	Tholl, John
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#### GRAFTON

Brown, Duane	Ladd, Rick	Piper, Wendy
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#### HILLSBOROUGH

Barry, Richard	Biggie, Barbara	Byron, Frank	Cote, David
Flanagan, Jack	Forest, Armand	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Griffin, Barbara	Haefner, Robert	Hansberry, Daniel
Hinch, Richard	Kurk, Neal	LeBrun, Donald	Leishman, Peter
Mangipudi, Latha	Marston, Dick	McClarren, Donald	Palmer, Barry
Seidel, Carl			

#### MERRIMACK

Deloge, Helen	Frazer, June	Henle, Paul	Hess, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Long, Douglas
MacKay, James	Marple, Richard	Rice, Chip	Walsh, Thomas

#### ROCKINGHAM

Abrami, Patrick	Allen, Mary	Chase, Francis	Devine, James
Elliott, Robert	Ferrante, Beverly	Francesca, Paula	Friel, William
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Harris, Jeffrey	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Major, Norman	Matthews, Carolyn	McMahon, Charles	Milz, David
Pantelakos, Laura	Tilton, Rio	Ward, Joanne	Welch, David
Weyler, Kenneth			

#### STRAFFORD

Bickford, David	Gardner, Janice	Graham, Robert	Leeman, Don
Mullen, John	Smith, Marjorie	Turcotte, Leonard	Wuelper, Kurt

#### SULLIVAN

Cloutier, John	Smith, Steven
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**NAYS - 257****BELKNAP**

Aldrich, Glen  
Hurt, George  
Varney, Peter

Fisher, Robert  
LeBreche, Shari

Fraser, Valerie  
Sylvia, Michael

Gallagher, Brian  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Buco, Thomas  
Parker, Harold

Butler, Edward  
Ticehurst, Susan

Comeau, Ed  
Wright, Ted

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

Ames, Richard  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Berch, Paul  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Bordenet, John  
McConnell, James  
Robertson, Timothy  
Tatro, Bruce

**COOS**

Fothergill, John  
Rappaport, Laurence

Froburg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Hennessey, Erin  
Ingbreton, Paul  
Smith, Suzanne

Almy, Susan  
Darrow, Stephen  
Hennessey, Martha  
Johnson, Eric  
Sykes, George

Bennett, Travis  
Ford, Susan  
Higgins, Patricia  
Maes, Kevin  
Townsend, Charles

Brown, Rebecca  
Gionet, Edmond  
Hull, Robert  
Massimilla, Linda  
White, Andrew

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Booras, Efstathia  
Christensen, Chris  
Cohen, Alan  
Eastman, Eric  
Ferreira, Elizabeth  
Gidge, Kenneth  
Harvey, Suzanne  
Hopper, Gary  
Lachance, Joseph  
McLean, Mark  
Murphy, Keith  
Ober, Lynne  
Peterson, Ken  
Rice, Kimberly  
Rowe, Robert  
Shaw, Barbara  
Snow, Kendall  
Sweeney, Shawn  
Vann, Ivy  
Zaricki, Nick

Ammon, Keith  
Beaulieu, Jane  
Bouldin, Amanda  
Christiansen, Lars  
Cornell, Patricia  
Edelblut, Frank  
Freitas, Mary  
Gould, Linda  
Heath, Mary  
Infantine, William  
Long, Patrick  
McNamara, Richard  
Notter, Jeanine  
Ober, Russell  
Pierce, David  
Roberts, Carol  
Sanborn, Laurie  
Simmons, Tammy  
Soucy, Timothy  
Takesian, Charlene  
Walsh, Robert

Backus, Robert  
Belanger, James  
Brown, Pamela  
Christie, Rick  
Danielson, David  
Edwards, Elizabeth  
Fromuth, Bart  
Guerette, C. Lee  
Herbert, Christopher  
Jack, Martin  
Manley, Jonathan  
Moore, Josh  
O'Brien, William  
Ohm, Bill  
Porter, Marjorie  
Rosenwald, Cindy  
Schleien, Eric  
Smith, Gregory  
Sullivan, Daniel  
Twombly, Timothy  
Williams, Kermit

Balcom, John  
Boehm, Ralph  
Burt, John  
Coffey, James  
Donovan, Daniel  
Estevez, Eric  
Gagne, Larry  
Halstead, Carolyn  
Hogan, Edith  
Judy, Jean  
McCarthy, Peggy  
Murotake, David  
O'Neil, William  
Parison, James  
Proulx, Mark  
Rouillard, Claire  
Shattuck, Gilman  
Smith, Timothy  
Sullivan, Victoria  
Ulery, Jordan  
Wolf, Terry

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Gile, Mary  
Karrick, David  
McGuire, Carol

Bartlett, Christy  
Doherty, David  
Hill, Gregory  
Kuch, Bill  
McGuire, Dan

Bradley, Paula  
Ebel, Karen  
Hoell, J.R.  
Luneau, David  
Moffett, Howard

Brewster, Michael  
French, Harold  
Horn, Werner  
Martin, John  
Myler, Mel

Parent, Jason  
Saunderson, George  
Turcotte, Alan

Patten, Dick  
Schuett, Dianne  
Wallner, Mary Jane

Ratzki, Mario  
Seaworth, Brian  
Wheeler, Deborah

Rogers, Katherine  
Shurtleff, Stephen

### ROCKINGHAM

Abramson, Max  
Bates, David  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Gordon, Pamela  
Kappler, Lawrence  
McBeath, Rebecca  
Osborne, Jason  
Rice, Frederick  
Sweeney, Joe  
Tucker, Pamela

Azarian, Gary  
Berrien, Skip  
Cali-Pitts, Jacqueline  
Cook, Allen  
Doucette, Fred  
Green, Dennis  
Katsakiores, Phyllis  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Sytek, John  
Vose, Michael

Baldasaro, Alfred  
Borden, David  
Cardon, G. Thomas  
Cushing, Robert  
Duarte, Joe  
Hodgdon, Bruce  
Kolodziej, Walter  
O'Connor, John  
Potucek, John  
Simpson, Alexis  
Thomas, Douglas  
Ward, Gerald

Barnes, Arthur  
Bush, Carol  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Itse, Daniel  
Lovejoy, Patricia  
Oigny, Jeffrey  
Prudhomme-O'Brien, Katherine  
Spillane, James  
True, Chris  
Webb, James

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Groen, Warren  
Kaczynski, Jr., Thomas  
Rollo, Deanna  
Sprague, Dale

Bixby, Peter  
DeLemus, Susan  
Hannon, Joseph  
Kaen, Naida  
Schmidt, Peter  
Stevens, Audrey

Burton, Wayne  
DiSesa, Len  
Horrigan, Timothy  
Knowles, Robert  
Southworth, Thomas  
Treleaven, Susan

Cheney, Catherine  
Gray, James  
Jones, Laura  
Pitre, Joseph  
Spang, Judith  
Wall, Janet

### SULLIVAN

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne

Irwin, Virginia

and the majority committee report failed.

Rep. Weber moved the minority committee report of Ought to Pass.

Minority committee report adopted and ordered to third reading.

**HB 1605-FN**, prohibiting the use of latex gloves and utensils in the food service industry. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James MacKay for the Majority of Health, Human Services and Elderly Affairs. This bill as amended prohibits the use of natural latex gloves and utensils in food preparation at licensed food service establishments or licensed retail stores. The American Latex Allergy Association reported that more than 3 million people have been diagnosed with an allergy to latex. That allergy can range from mild itching, redness and swelling to life threatening anaphylactic shock. Alternatives to latex gloves are readily available for restaurant suppliers and are less expensive. Legislation extends the effective date to allow food service establishments to make the change. Food establishments that continue to use latex gloves give no choice to their clients. Vote 16-2.

Rep. Joanne Ward for the Minority of Health, Human Services and Elderly Affairs. This bill would prevent the food service industry from using any latex gloves or utensils because of the risk to people with latex allergies. Allergies can be very serious but does this require a mandate. Vinyl gloves are less expensive than latex and many establishments have switched over voluntarily. Should this be mandated or handled through education and licensing?

### Majority Amendment (0258h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Latex Prohibited. Amend RSA 143-A by inserting after section 9-b the following new section:

143-A:9-c Latex Prohibited. No person licensed under this chapter shall use or allow the use of disposable, non-sterile, or sterile natural rubber latex gloves or utensils in food preparation at a licensed food service establishment or licensed food retail store. Any person who violates this section shall be guilty of a violation and shall pay a fine of not less than \$250 and not more than \$500.

2 Effective Date. This act shall take effect June 30, 2017.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 180 NAYS 162****YEAS - 180****BELKNAP**

Fields, Dennis	LeBreche, Shari	Russell, David	Tilton, Franklin
Varney, Peter			

**CARROLL**

Chandler, Gene	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

**COOS**

Fothergill, John	Frobург, Alethea	Hatch, William	Rappaport, Laurence
Richardson, Herbert	Tholl, John		

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Gionet, Edmond	Hennessey, Martha	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Belanger, James
Booras, Efstathia	Brown, Pamela	Byron, Frank	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Cote, David
Donovan, Daniel	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Hinch, Richard	Hopper, Gary	Infantine, William
Jack, Martin	Kurk, Neal	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Neil, William	Palmer, Barry	Peterson, Ken	Porter, Marjorie
Proulx, Mark	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kenison, Linda
Kidder, David	Kotowski, Frank	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuetz, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas
Wheeler, Deborah			

**ROCKINGHAM**

Allen, Mary	Berrien, Skip	Borden, David	Bush, Carol
Cahill, Michael	Cardon, G. Thomas	Christie, Andrew	Cook, Allen
Cushing, Robert	Devine, James	DiFranco, Debbie	Doucette, Fred

Elliott, Robert  
Guthrie, Joseph  
Major, Norman  
Nigrello, Robert  
Ward, Gerald

Ferrante, Beverly  
Heffron, Frank  
Matthews, Carolyn  
Pantelakos, Laura

Friel, William  
Hoelzel, Kathleen  
McBeath, Rebecca  
Simpson, Alexis

Gordon, Pamela  
Lovejoy, Patricia  
McMahon, Charles  
Tilton, Rio

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Gardner, Janice  
Schmidt, Peter  
Sprague, Dale

Burton, Wayne  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

### SULLIVAN

Cloutier, John

Converse, Larry

Gottling, Suzanne

Smith, Steven

### NAYS - 162

### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
Sylvia, Michael

Dumais, Russell  
Gallagher, Brian  
Vadney, Herbert

Fisher, Robert  
Hurt, George

Flanders, Donald  
Spanos, Peter

### CARROLL

Avellani, Lino  
Cordelli, Glenn

Buco, Thomas  
Parker, Harold

Butler, Edward

Comeau, Ed

### CHESHIRE

Bordenet, John

Hunt, John

McConnell, James

Roberts, Kris

### COOS

Moynihan, Wayne

Rideout, Leon

Theberge, Robert

Thomas, Yvonne

### GRAFTON

Brown, Duane  
Hull, Robert

Brown, Rebecca  
Ingbretson, Paul

Darrow, Stephen  
Johnson, Eric

Hennessey, Erin  
Piper, Wendy

### HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Gould, Linda  
Heath, Mary  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Pellegrino, Anthony  
Rowe, Robert  
Shaw, Barbara  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Edwards, Elizabeth  
Gagne, Larry  
Griffin, Barbara  
Hogan, Edith  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Pierce, David  
Sanborn, Laurie  
Smith, Gregory  
Wolf, Terry

Barry, Richard  
Bouldin, Amanda  
Danielson, David  
Estevez, Eric  
Gonzalez, Carlos  
Halstead, Carolyn  
Jeudy, Jean  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria  
Zaricki, Nick

Beaulieu, Jane  
Burt, John  
Eastman, Eric  
Ferreira, Elizabeth  
Gorman, Mary  
Hansen, Peter  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Rouillard, Claire  
Seidel, Carl  
Sweeney, Shawn

### MERRIMACK

Brewster, Michael  
Horn, Werner  
Martin, John  
Seaworth, Brian

French, Harold  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline	Chase, Francis
Chirichiello, Brian	Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy
Francesco, Paula	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Milz, David	O'Connor, John	Oligny, Jeffrey	Osborne, Jason
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

**STRAFFORD**

Cheney, Catherine	DeLemus, Susan	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

**SULLIVAN**

Gagnon, Raymond	Irwin, Virginia	Laware, Thomas	Rollins, Skip
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and the majority committee report was adopted and ordered to third reading.

**HB 1629-FN**, relative to disqualifying members of certain groups from receiving public assistance. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Pamela Gordon for the Majority of Health, Human Services and Elderly Affairs. This bill would prohibit any individual who has membership in, or who supports any organization from receiving public assistance. As well intentioned as this proposed legislation is to protect NH citizens against the use of public funds to inadvertently fund terrorist activities, this bill fails to accomplish the intended goal. The bill is unconstitutional as it prohibits benefits based on membership in a group, which is protected by the First Amendment, even if the group engages in abhorrent activities. Vote 12-5. Rep. Donald LeBrun for the Minority of Health, Human Services and Elderly Affairs. When an individual is designated to the terrorist list they should not be allowed to benefit from public programs such as welfare, medical aid or food stamps. We should not be rewarding those individuals that are identified as not wishing to be a productive part of our culture.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Timothy Smith requested a roll call; not sufficiently seconded.

On a division vote, with 279 members having voted in the affirmative, and 62 in the negative, the majority committee report was adopted.

**HB 1690-FN**, extending the New Hampshire health protection program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen Schmidt for the Majority of Health, Human Services and Elderly Affairs. The majority position was that a similar bill, HB 1696, requesting a modification of the New Hampshire health protection program provided a sunsetted extension of the New Hampshire Health Protection Plan as well as a funding mechanism for those dollars not reimbursed by the federal government at no cost to the New Hampshire taxpayer. HB 1696 also contained language protecting the New Hampshire taxpayer should the federal government renege on their financial support. The majority, for the aforementioned reasons, found this bill Inexpedient to Legislate in favor of HB 1696. Vote 9-8.

Rep. Thomas Sherman for the Minority of Health, Human Services and Elderly Affairs. This bill repeals the sunset and reauthorization requirement for the New Hampshire Health Protection Program. By all measures, the program has been a success bringing health coverage to more than 47,000 New Hampshire residents. It has saved more than \$150 million in uncompensated care costs. With its influx of more than \$400 million in federal funds, it represents one of the very few sources of significant new revenue with which to address the addiction and opioid crisis in our state. With these successes and taxpayer circuit breakers in place, the NHPPP should be allowed to continue without sunset.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Weber requested a roll call; sufficiently seconded.

**YEAS 211 NAYS 128****YEAS - 211****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Hurt, George  
Sylvia, Michael

Dumais, Russell  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Fields, Dennis  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fisher, Robert  
Howard, Jr., Raymond  
Spanos, Peter  
Varney, Peter

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
Wright, Ted

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Brown, Duane  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ingbreton, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Byron, Frank  
Coffey, James  
Edwards, Elizabeth  
Forest, Armand  
Griffin, Barbara  
Hinch, Richard  
Lachance, Joseph  
McCarthy, Peggy  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Smith, Gregory  
Ulery, Jordan

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Estevez, Eric  
Fromuth, Bart  
Haefner, Robert  
Hogan, Edith  
LeBrun, Donald  
McClarren, Donald  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Sullivan, Victoria  
Walsh, Robert

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Halstead, Carolyn  
Hopper, Gary  
Leishman, Peter  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Shaw, Barbara  
Sweeney, Shawn  
Wolf, Terry

Barry, Richard  
Burt, John  
Christie, Rick  
Edelblut, Frank  
Flanagan, Jack  
Gould, Linda  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Long, Douglas  
McGuire, Carol  
Seaworth, Brian

Deloge, Helen  
Horn, Werner  
MacKay, James  
McGuire, Dan  
Walsh, Thomas

French, Harold  
Kotowski, Frank  
Marple, Richard  
Parent, Jason

Hill, Gregory  
Kuch, Bill  
Martin, John  
Rice, Chip

**ROCKINGHAM**

Abrami, Patrick  
Baldasaro, Alfred  
Cardon, G. Thomas  
Cook, Allen  
Duarte, Joe

Abramson, Max  
Barnes, Arthur  
Chase, Francis  
Dean-Bailey, Yvonne  
Elliott, Robert

Allen, Mary  
Bates, David  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy

Azarian, Gary  
Bush, Carol  
Christie, Andrew  
Doucette, Fred  
Ferrante, Beverly



Friel, William  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 McMahon, Charles  
 Oligny, Jeffrey  
 Prudhomme-O'Brien, Katherine  
 Sweeney, Joe  
 True, Chris  
 Webb, James

Gannon, William  
 Guthrie, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 Milz, David  
 Osborne, Jason  
 Rice, Frederick  
 Sytek, John  
 Tucker, Pamela  
 Welch, David

Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Major, Norman  
 Nigrello, Robert  
 Peckham, Michele  
 Schroadter, Adam  
 Thomas, Douglas  
 Vose, Michael  
 Weyler, Kenneth

Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Matthews, Carolyn  
 O'Connor, John  
 Potucek, John  
 Spillane, James  
 Tilton, Rio  
 Ward, Joanne  
 Woitkun, Steven

### STRAFFORD

Bickford, David  
 Graham, Robert  
 Jones, Laura  
 Mullen, John  
 Turcotte, Leonard

Cheney, Catherine  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Pitre, Joseph  
 Wuelper, Kurt

DeLemus, Susan  
 Groen, Warren  
 Knowles, Robert  
 Schmidt, Peter

Gardner, Janice  
 Hannon, Joseph  
 Leeman, Don  
 Smith, Marjorie

### SULLIVAN

Rollins, Skip

Smith, Steven

### NAYS - 128 CARROLL

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
 Chase, Cynthia  
 Pearson, William  
 Sad, Tara  
 Weber, Lucy

Ames, Richard  
 Johnsen, Gladys  
 Phillips, Larry  
 Shepardson, Marjorie

Berch, Paul  
 Ley, Douglas  
 Roberts, Kris  
 Tatro, Bruce

Bordenet, John  
 Mann, John  
 Robertson, Timothy  
 Tilton, Benjamin

### COOS

Froburg, Alethea  
 Thomas, Yvonne

Hatch, William

Moynihn, Wayne

Theberge, Robert

### GRAFTON

Abel, Richard  
 Cooney, Mary  
 Maes, Kevin  
 Townsend, Charles

Almy, Susan  
 Ford, Susan  
 Massimilla, Linda  
 White, Andrew

Bennett, Travis  
 Hennessey, Martha  
 Smith, Suzanne

Brown, Rebecca  
 Higgins, Patricia  
 Sykes, George

### HILLSBOROUGH

Baroody, Benjamin  
 Cohen, Alan  
 Freitas, Mary  
 Gorman, Mary  
 Heath, Mary  
 Mangipudi, Latha  
 Porter, Marjorie  
 Snow, Kendall  
 Williams, Kermit

Beaulieu, Jane  
 Cornell, Patricia  
 Gidge, Kenneth  
 Guerette, C. Lee  
 Jack, Martin  
 Manley, Jonathan  
 Roberts, Carol  
 Soucy, Timothy

Bouldin, Amanda  
 Cote, David  
 Goley, Jeffrey  
 Hansberry, Daniel  
 Jeudy, Jean  
 McNamara, Richard  
 Rosenwald, Cindy  
 Sullivan, Daniel

Brown, Pamela  
 Donovan, Daniel  
 Gonzalez, Carlos  
 Harvey, Suzanne  
 Long, Patrick  
 O'Neil, William  
 Smith, Timothy  
 Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
 Doherty, David  
 Henle, Paul  
 Moffett, Howard  
 Rogers, Katherine  
 Turcotte, Alan

Bartlett, Christy  
 Ebel, Karen  
 Karrick, David  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Bradley, Paula  
 Frazer, June  
 Kenison, Linda  
 Patten, Dick  
 Schuett, Dianne  
 Wheeler, Deborah

Carson, Clyde  
 Gile, Mary  
 Luneau, David  
 Ratzki, Mario  
 Shurtleff, Stephen

ROCKINGHAM

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Simpson, Alexis

Borden, David  
DiFranco, Debbie  
Lovejoy, Patricia  
Ward, Gerald

Cahill, Michael  
Francesse, Paula  
McBeath, Rebecca

Cali-Pitts, Jacqueline  
Gordon, Pamela  
Pantelakos, Laura

STRAFFORD

Baber, William  
DiSesa, Len  
Southworth, Thomas  
Treleven, Susan

Bixby, Peter  
Horrigan, Timothy  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Kaen, Naida  
Sprague, Dale

Cilley, Jacalyn  
Rollo, Deanna  
Stevens, Audrey

SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Laware, Thomas

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report was adopted.

**CACR 13**, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts. **WITHOUT RECOMMENDATION.**

**Statement in Support of Ought to Pass with Amendment:** This resolution as amended will amend Part Second Article 73-a of the New Hampshire Constitution. Under the current wording of Article 73-a if the Supreme Court created a court rule which would conflict with statute, it is unclear which would have superior authority. This resolution would establish that in the event of conflict between court-created rule and statute, statute shall prevail. The Supreme Court has found in the case of State of New Hampshire v. Shawn Carter, that “statutory enactments prevail over conflicting court rules.” This resolution seeks to enshrine this ruling in the New Hampshire Constitution, thus preventing any potential conflict in the future.

Rep. Robert Hull.

**Statement in Support of Inexpedient to Legislate:** This resolution attempts to clarify and establish the primacy of the legislature in court rulemaking. The resolution makes it clear that in case of conflict between a court rule and a statute, the statute will prevail. However, after an exhaustive review of the meaning of our separation of powers clause, the Supreme Court agrees, but with an important exception. The legislature may not impinge on the court’s “core adjudicatory function” that is “to resolve cases fairly and impartially and to protect the constitutional rights of all persons who come before the courts.” This resolution does not make this distinction and thus goes too far.

Rep. David Woodbury.

Rep. Hull moved Ought to Pass and offered floor amendment (0121h).

Floor Amendment (0121h)

Amend the title of the resolution by replacing it with the following:

RELATING TO: the administrative head of the courts.

PROVIDING THAT: the chief justice of the supreme court shall make rules governing all courts in the state but if such rules conflict with statute, statute shall prevail.

Amend the resolution by replacing paragraph I with the following:

I. That article 73-a of the second part of the constitution be amended to read as follows:

[Art.] 73-a. [Supreme Court, Administration.] The chief justice of the supreme court shall be the administrative head of all the courts. [He] *The chief justice* shall, with the concurrence of a majority of the supreme court justices, make rules governing the administration of all courts in the state and the practice and procedure to be followed in all such courts. The rules so promulgated shall have the force and effect of law, *provided that if such rules conflict with statute, statute shall prevail.*

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending article 73-a of the second part of the constitution to read as follows:

[Art.] 73-a. [Supreme Court, Administration.] The chief justice of the supreme court shall be the administrative head of all the courts. [He] The chief justice shall, with the concurrence of a majority of the supreme court justices, make rules governing the administration of all courts in the state and the practice and procedure to be followed in all such courts. The rules so promulgated shall have the force and effect of law, provided that if such rules conflict with statute, statute shall prevail.”

**AMENDED ANALYSIS**

This constitutional amendment concurrent resolution provides that if rules promulgated by the chief justice of the supreme court conflict with state statutes, state statutes shall prevail.

Rep. Hull spoke in favor.

Floor amendment (0121h) failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Horrigan spoke against.

**MOTION TO LAY ON THE TABLE**

Rep. Rowe moved that **CACR 13**, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts, be laid on the table.

Rep. Groen requested a roll call; not sufficiently seconded.

On a division vote, with 244 members having voted in the affirmative, and 47 in the negative, the motion was adopted.

**REGULAR CALENDAR CONT'D**

**CACR 22**, relating to the right to privacy. Providing that an individual's right to live free from governmental interference is fundamental and shall not be restricted unless the government demonstrates a compelling state interest. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kurt Wuelper for Judiciary. This resolution as amended proposes to formalize the right to privacy as a fundamental constitutional right. The majority agreed that having this right explicit in the New Hampshire Constitution would be an important safeguard to this right. Vote 12-8.

**Amendment (0817h)**

Amend the title of the resolution by replacing it with the following:

**RELATING TO:** the right to privacy.

**PROVIDING THAT:** an individual's right to live free from governmental interference is fundamental.

Amend the resolution by replacing paragraph I with the following:

I. That the first part of the constitution be amended by inserting after article 2-a the following new article:

[Art.] 2-b. [Right to Privacy.] An individual's right to live free from governmental interference in private or personal matters is fundamental.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the first part of the constitution by inserting after article 2-a new article to read as follows:

[Art.] 2-b. [Right to Privacy.] An individual's right to live free from governmental interference in private or personal matters is fundamental."

**AMENDED ANALYSIS**

This constitutional amendment concurrent resolution provides that there is a fundamental right to live free of governmental interference.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Itse spoke in favor and yielded to questions.

**(Speaker Jasper in the Chair)**

Rep. Wuelper spoke in favor.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Abramson requested a roll call; sufficiently seconded.

**YEAS 220 NAYS 116**

**YEAS - 220**

**BELKNAP**

Aldrich, Glen  
Hurt, George  
Vadney, Herbert

Fields, Dennis  
Russell, David  
Varney, Peter

Fisher, Robert  
Sylvia, Michael

Fraser, Valerie  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Umberger, Karen

Crawford, Karel  
Wright, Ted

McConkey, Mark

Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
Hunt, John  
Roberts, Kris

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy

Chase, Cynthia  
Mann, John  
Tilton, Benjamin

Eaton, Daniel  
McConnell, James

**COOS**

Fothergill, John  
Rideout, Leon

Frobург, Alethea  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Rappaport, Laurence

**GRAFTON**

Almy, Susan  
Gionet, Edmond  
Ladd, Rick  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Maes, Kevin  
White, Andrew

Brown, Rebecca  
Higgins, Patricia  
Massimilla, Linda

Darrow, Stephen  
Hull, Robert  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Burt, John  
Donovan, Daniel  
Ferreira, Elizabeth  
Gagne, Larry  
Halstead, Carolyn  
Kurk, Neal  
Mangipudi, Latha  
McLean, Mark  
Ober, Lynne  
Pellegrino, Anthony  
Roberts, Carol  
Schleien, Eric  
Snow, Kendall  
Walsh, Robert

Ammon, Keith  
Belanger, James  
Christiansen, Lars  
Edelblut, Frank  
Flanagan, Jack  
Gidge, Kenneth  
Harvey, Suzanne  
Lachance, Joseph  
Manley, Jonathan  
Moore, Josh  
Ober, Russell  
Peterson, Ken  
Rouillard, Claire  
Shaw, Barbara  
Soucy, Timothy  
Wolf, Terry

Backus, Robert  
Biggie, Barbara  
Cornell, Patricia  
Edwards, Elizabeth  
Forest, Armand  
Gonzalez, Carlos  
Heath, Mary  
LeBrun, Donald  
McCarthy, Peggy  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Simmons, Tammy  
Sullivan, Daniel  
Zaricki, Nick

Balcom, John  
Boehm, Ralph  
Cote, David  
Estevez, Eric  
Freitas, Mary  
Haefner, Robert  
Hinch, Richard  
Leishman, Peter  
McClarren, Donald  
O'Neil, William  
Parison, James  
Rice, Kimberly  
Sanborn, Laurie  
Smith, Gregory  
Takesian, Charlene

**MERRIMACK**

Alicea, Caroletta  
Ebel, Karen  
Hill, Gregory  
Long, Douglas  
Martin, John  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

Bartlett, Christy  
Frazer, June  
Horn, Werner  
Luneau, David  
McGuire, Carol  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

Brewster, Michael  
French, Harold  
Kotowski, Frank  
MacKay, James  
McGuire, Dan  
Ratzki, Mario  
Seaworth, Brian

Doherty, David  
Gile, Mary  
Kuch, Bill  
Marple, Richard  
Moffett, Howard  
Rice, Chip  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Cardon, G. Thomas  
Cook, Allen  
Doucette, Fred  
Ferrante, Beverly  
Gordon, Richard  
Introne, Robert  
Major, Norman  
Oigny, Jeffrey

Abramson, Max  
Berrien, Skip  
Chase, Francis  
Cushing, Robert  
Duarte, Joe  
Francese, Paula  
Griffin, Mary  
Katsakiores, Phyllis  
McBeath, Rebecca  
Osborne, Jason

Allen, Mary  
Bush, Carol  
Chirichiello, Brian  
Devine, James  
Elliott, Robert  
Friel, William  
Guthrie, Joseph  
Kolodziej, Walter  
Nigrello, Robert  
Packard, Sherman

Azarian, Gary  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Emerick, J. Tracy  
Gordon, Pamela  
Hoelzel, Kathleen  
Lovejoy, Patricia  
O'Connor, John  
Pantelakos, Laura

Potucek, John  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

Rice, Frederick  
Tilton, Rio  
Webb, James

Schroadter, Adam  
Tucker, Pamela  
Welch, David

Simpson, Alexis  
Ward, Gerald  
Weyler, Kenneth

### STRAFFORD

Bickford, David  
DiSesa, Len  
Jones, Laura  
Pitre, Joseph  
Spang, Judith

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Rollo, Deanna  
Sprague, Dale

Burton, Wayne  
Graham, Robert  
Leeman, Don  
Smith, Marjorie  
Treleven, Susan

Cheney, Catherine  
Hannon, Joseph  
Mullen, John  
Southworth, Thomas  
Wuelper, Kurt

### SULLIVAN

Converse, Larry  
Rollins, Skip

Gottling, Suzanne  
Smith, Steven

Irwin, Virginia

Laware, Thomas

### NAYS - 116

#### BELKNAP

Dumais, Russell  
LeBreche, Shari

Flanders, Donald  
Spanos, Peter

Gallagher, Brian

Howard, Jr., Raymond

#### CARROLL

Buco, Thomas  
McCarthy, Frank

Butler, Edward  
Nelson, Bill

Comeau, Ed  
Parker, Harold

Cordelli, Glenn  
Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Phillips, Larry  
Tatro, Bruce

Bordenet, John  
Sad, Tara  
Weber, Lucy

Ley, Douglas  
Shepardson, Marjorie

Pearson, William  
Sterling, Franklin

### COOS

Hatch, William

Thomas, Yvonne

### GRAFTON

Abel, Richard  
Ingbreton, Paul

Brown, Duane  
Johnson, Eric

Cooney, Mary  
Piper, Wendy

Ford, Susan  
Townsend, Charles

### HILLSBOROUGH

Beaulieu, Jane  
Coffey, James  
Goley, Jeffrey  
Guerette, C. Lee  
Hopper, Gary  
Long, Patrick  
O'Brien, William  
Rosenwald, Cindy  
Sullivan, Victoria  
Vann, Ivy

Brown, Pamela  
Cohen, Alan  
Gorman, Mary  
Hansberry, Daniel  
Infantine, William  
Marston, Dick  
Ohm, Bill  
Seidel, Carl  
Sweeney, Shawn  
Williams, Kermit

Byron, Frank  
Danielson, David  
Gould, Linda  
Hansen, Peter  
Jack, Martin  
Murotake, David  
Pierce, David  
Shattuck, Gilman  
Twombly, Timothy

Christie, Rick  
Eastman, Eric  
Griffin, Barbara  
Hogan, Edith  
Judy, Jean  
Notter, Jeanine  
Porter, Marjorie  
Smith, Timothy  
Ulery, Jordan

### MERRIMACK

Bradley, Paula  
Hoell, J.R.  
Shurtleff, Stephen

Carson, Clyde  
Karrick, David  
Wallner, Mary Jane

Deloge, Helen  
Kenison, Linda

Henle, Paul  
Rogers, Katherine

### ROCKINGHAM

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Heffron, Frank  
Matthews, Carolyn  
Spillane, James

Bates, David  
Gannon, William  
Hodgdon, Bruce  
Milz, David  
Sytek, John

Borden, David  
Green, Dennis  
Itse, Daniel  
Peckham, Michele  
True, Chris

Cali-Pitts, Jacqueline  
Harris, Jeffrey  
Kappler, Lawrence  
Prudhomme-O'Brien, Katherine  
Vose, Michael

**STRAFFORD**

Baber, William  
Groen, Warren  
Schmidt, Peter

Cilley, Jacalyn  
Horrigan, Timothy  
Stevens, Audrey

DeLemus, Susan  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Gray, James  
Knowles, Robert  
Wall, Janet

**SULLIVAN**

Cloutier, John

Gagnon, Raymond

and the committee report failed lacking the necessary three-fifths vote.

Rep. William O'Brien moved Inexpedient to Legislate.

Motion adopted.

**HB 1125**, requiring law enforcement officers to return stolen property. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Kenison for the Majority of Judiciary. This bill requires the police to return certain stolen property within 48 hours of its recovery. This bill has a number of flaws. There is no procedure that would enable a person to obtain a copy of the data. Police must maintain a chain of custody over each piece of property taken into custody, for any item used as evidence in a criminal trial has to continually be in the hands of law enforcement and not altered. The proposed bill would require law enforcement to make the device available to the owner within two days so the owner could obtain a copy of the data. Many law enforcement agencies do not have the technology to retrieve the data within two days. Retrieval often takes a significant amount of time. If property is released there would have to be a police officer to oversee the entire process, which could take several hours. Vote 11-9. Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes crime victims should be allowed to retrieve the information from devices like phones or computers in a timely manner, after those objects are recovered by police, without compromising the need for them as evidence. With our enormous and increasing dependence on these devices for both personal and professional purposes, the inability to access our own information from our own property can be devastating. This bill as amended would provide a process for the people to get their own data within two business days and it requires the return of the item itself within two weeks unless, in either case, the police show a court why not.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Wuelper spoke against.

Rep. Kenison spoke in favor.

Rep. Jones requested a roll call; sufficiently seconded.

**YEAS 180 NAYS 152**

**YEAS - 180****BELKNAP**

Fields, Dennis

Gallagher, Brian

LeBreche, Shari

Russell, David

**CARROLL**

Buco, Thomas  
McCarthy, Frank  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Crawford, Karel  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sad, Tara

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Smith, Suzanne

Ford, Susan  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Christensen, Chris  
Cote, David  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Mangipudi, Latha  
Palmer, Barry  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Baroody, Benjamin  
Christiansen, Lars  
Flanagan, Jack  
Goley, Jeffrey  
Haefner, Robert  
Hinch, Richard  
Kurk, Neal  
Manley, Jonathan  
Pellegrino, Anthony  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene

Beaulieu, Jane  
Cohen, Alan  
Forest, Armand  
Gorman, Mary  
Hansberry, Daniel  
Infantine, William  
Leishman, Peter  
O'Brien, William  
Peterson, Ken  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

Brown, Pamela  
Cornell, Patricia  
Freitas, Mary  
Griffin, Barbara  
Harvey, Suzanne  
Jack, Martin  
Long, Patrick  
O'Neil, William  
Pierce, David  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
Gile, Mary  
Luneau, David  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Henle, Paul  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Karrick, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Kenison, Linda  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Bush, Carol  
Christie, Andrew  
Francesse, Paula  
Harris, Jeffrey  
Lovejoy, Patricia  
Peckham, Michele  
Ward, Gerald

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
Friel, William  
Heffron, Frank  
Major, Norman  
Simpson, Alexis  
Ward, Joanne

Berrien, Skip  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Gordon, Pamela  
Hoelzel, Kathleen  
Milz, David  
Sytek, John  
Webb, James

Borden, David  
Chase, Francis  
Elliott, Robert  
Griffin, Mary  
Kolodziej, Walter  
Pantelakos, Laura  
Thomas, Douglas  
Welch, David

**STRAFFORD**

Baber, William  
Gardner, Janice  
Mullen, John  
Southworth, Thomas  
Treleven, Susan

Bixby, Peter  
Gray, James  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale

DiSesa, Len  
Kaen, Naida  
Smith, Marjorie  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Smith, Steven

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

**NAYS - 152****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
Sylvia, Michael

Dumais, Russell  
Howard, Jr., Raymond  
Tilton, Franklin

Fisher, Robert  
Hurt, George  
Vadney, Herbert

Flanders, Donald  
Spanos, Peter  
Varney, Peter

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Schmidt, Stephen
Wright, Ted			

**CHESHIRE**

Hunt, John	McConnell, James	Sterling, Franklin	Tilton, Benjamin
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**COOS**

Fothergill, John	Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Brown, Duane	Brown, Rebecca	Darrow, Stephen	Gionet, Edmond
Hull, Robert	Ingbreton, Paul	Johnson, Eric	

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christie, Rick	Coffey, James	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gonzalez, Carlos	Gould, Linda	Hansen, Peter	Hogan, Edith
Hopper, Gary	Lachance, Joseph	LeBrun, Donald	Marston, Dick
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ober, Lynne
Ohm, Bill	Parison, James	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Sanborn, Laurie	Schleien, Eric	Seidel, Carl
Simmons, Tammy	Smith, Gregory	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Seaworth, Brian	Walsh, Thomas		

**ROCKINGHAM**

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen
Dean-Bailey, Yvonne	Devine, James	Doucette, Fred	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Gannon, William	Gordon, Richard
Green, Dennis	Guthrie, Joseph	Hodgdon, Bruce	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Matthews, Carolyn
McBeath, Rebecca	Nigrello, Robert	O'Connor, John	Oigny, Jeffrey
Osborne, Jason	Packard, Sherman	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadtter, Adam	Spillane, James	Tilton, Rio
True, Chris	Tucker, Pamela	Vose, Michael	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Bickford, David	Cheney, Catherine	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Turcotte, Leonard	Wuelper, Kurt	

**SULLIVAN**

Converse, Larry	Laware, Thomas	Rollins, Skip
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and the majority committee report was adopted.



**HB 1175-FN**, relative to post-judgment real estate liens. **OUGHT TO PASS WITH AMENDMENT.** Rep. Claire Rouillard for Judiciary. This bill as amended provides that judgment issued by a court may be secured against real estate by recording and re-recording a certified copy of the judgment with the registry of deeds, without losing its priority status. Current law requires re-recording every six years with the priority status of the judgment eliminated. The bill provides for notice to the defendant upon each recording, requiring the recording of an affidavit of notice with the registry of deeds. The bill also provides a mechanism for discharge of the lien, with remedies available to the defendant of costs and legal fees if the plaintiff fails to comply. Vote 14-2.

**Amendment (0371h)**

Amend the bill by replacing section 2 with the following:

2 New Section; Judgments: Post-Judgment Real Estate Liens. Amend 524 by inserting after section 12 the following new section:

**524:13 Post-Judgment Real Estate Liens.**

I. A judgment entered by any court in this state may be secured against real estate by recording or re-recording, at any time during the duration of the judgment, a certified copy of the judgment, along with an affidavit in accordance with paragraph II, with the registry of deeds of the county in which the real estate is located.

II. At the time of recording, the plaintiff shall mail a copy of all documents mailed to the registry of deeds to the defendant's address of record with the court, by first class mail, or if the defendant is represented by counsel, a copy shall be mailed to counsel in the same manner.

III. The recording of the certified copy of the judgment, along with the affidavit attesting to compliance with paragraph II shall create a judgment lien on all real estate of the defendant in the county of recording. The judgment lien shall be subject to all applicable exemptions from attachment and execution and shall be subordinate to any other liens of record entitled to priority on the date of recording.

IV. Unless the judgment is satisfied or discharged or the lien is otherwise removed or altered, the judgment lien created under paragraphs I through III shall remain in force and effect for as long as a suit may be maintained upon the judgment under RSA 508:5.

V. When a judgment secured by a judgment lien under this section is satisfied, the plaintiff or his or her attorney shall deliver to the defendant or owner of the encumbered real estate a discharge thereof. The defendant or owner shall cause the discharge to be recorded and shall pay the register of deeds the recording fee established pursuant to RSA 478:17-g. If the plaintiff fails to comply with this paragraph, the defendant shall be entitled to recover the amount of reasonable costs and legal fees incurred as a result.

VI.(a) If the plaintiff fails to deliver the discharge of a satisfied judgment within 30 days from receipt of a request to deliver such discharge, or if other exigent circumstances require an immediate discharge, such discharge may be issued by the court in which the judgment was rendered upon presentation of proof that the judgment has been paid in full, in the form of either a bank check, a certified check, an attorney's client funds account check which bears no indication of a stop payment order or return for insufficient funds, or by other equivalent documentary evidence of such receipt of payment.

(b) The discharge shall include the names of the plaintiff and the defendant, the date and amount of the judgment, the name of the underlying case and case number, if any, and the book and page of recording of the judgment lien.

(c) The discharge, when recorded, shall constitute a complete release of the lien created by the recording of the judgment.

(d) Any person who induces a court to execute a discharge in accordance with this paragraph on the basis of information and statements known to the person to be false shall be responsible for all costs and fees incurred by the opposing party as a result and such additional sanctions as the court in its discretion deems appropriate.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1249**, providing that persons who provide false or misleading information in an abuse or neglect proceeding shall be guilty of the crime of false swearing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for the Majority of Judiciary. This bill proposes certain criminal penalties for providing false or misleading information in a child abuse or neglect investigation or proceeding.

It would also criminalize withholding of exculpatory and true information by any employee of the Department of Health and Human Services. A bipartisan majority of the committee has recommended Inexpedient to Legislate for a number of reasons. There are already criminal provisions in the law to punish false swearing and perjury that would apply to judicial proceedings. The majority of the committee felt that poor drafting, vagueness and unclear directives in this bill would lead to unintended consequences and might well dissuade individuals from bringing forth good faith claims of child abuse. The bill makes it a crime to withhold information, but does not define from whom. It states that the information must be known to be true and exculpatory, but not by whom. It does not seek to define exculpatory, which can vary from circumstance to circumstance. The bar on withholding information extends to unintentional as well as intentional. The bill would cover secretaries as well as investigators. It even fails to specify what kind of hearing would be necessary for certain criminal penalties to attach. In a larger sense, the committee heard testimony that this bill would potentially chill people from coming forward with information that may turn out to be exculpatory, yet false. Law and public policy in New Hampshire is to encourage –with immunity – people coming forward with good faith reporting of possible child abuse and neglect. This bill, as written, goes in the opposite direction. Vote 10-7.

Rep. Mark McLean for the Minority of Judiciary. RSA 169-C:31 grants civil and criminal immunity to anyone who makes a report in good faith under the child protection act. This provision is essential to reassure persons reporting abuse that they will be protected from retaliation, and its absence would have a chilling effect on the reporting of real abuse. However, as vital as these protections are, they are only valid if the reports are being made in good faith. Persons who bring forth false or misleading information lose this immunity and are subject to the penalties under RSA 641 relating to falsification in official matters. This bill as amended does not create new penalties for providing false information, but it does explicitly link RSA 169 to RSA 641, and it clarifies which sections of the statute apply. False or misleading statements relating to abuse have the potential to cause enormous damage to children as well as the falsely accused. The minority of the committee felt that there should be no ambiguity as to the consequences of such actions.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Eastman requested a roll call; sufficiently seconded.

**YEAS 204    NAYS 128**

**YEAS - 204  
BELKNAP**

Dumais, Russell	Fields, Dennis	Gallagher, Brian	Russell, David
Tilton, Franklin			

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Thomas, Yvonne	

**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Ford, Susan	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Brown, Pamela	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Hinch, Richard	Infantine, William	Jack, Martin
Judy, Jean	Kurk, Neal	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	Marston, Dick	O'Neil, William
Ober, Lynne	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rowe, Robert	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kenison, Linda
Kotowski, Frank	Luneau, David	MacKay, James	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah	

**ROCKINGHAM**

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Christie, Andrew	Cushing, Robert	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Francese, Paula
Friel, William	Gordon, Pamela	Griffin, Mary	Guthrie, Joseph
Heffron, Frank	Hoelzel, Kathleen	Katsakiores, Phyllis	Kolodziej, Walter
Lovejoy, Patricia	Major, Norman	McBeath, Rebecca	Milz, David
Nigrello, Robert	O'Connor, John	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Simpson, Alexis	Sweeney, Joe	Sytek, John
Tilton, Rio	Ward, Gerald	Ward, Joanne	Webb, James
Woitkun, Steven			

**STRAFFORD**

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
DiSesa, Len	Gardner, Janice	Gray, James	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Smith, Steven		

**NAYS - 128****BELKNAP**

Aldrich, Glen	Fisher, Robert	Flanders, Donald	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Spanos, Peter
Sylvia, Michael	Vadney, Herbert	Varney, Peter	

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
Wright, Ted			

**CHESHIRE**

McConnell, James	Sterling, Franklin	Tilton, Benjamin
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**COOS**

Rideout, Leon

**GRAFTON**

Brown, Duane	Darrow, Stephen	Gionet, Edmond	Hull, Robert
Ingbretson, Paul	Johnson, Eric		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christie, Rick	Coffey, James
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gonzalez, Carlos	Gould, Linda	Hansen, Peter	Hogan, Edith
Hopper, Gary	Lachance, Joseph	LeBrun, Donald	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ohm, Bill
Parison, James	Rice, Kimberly	Rouillard, Claire	Schleien, Eric
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Seaworth, Brian

**ROCKINGHAM**

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Bush, Carol	Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne
Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly	Gannon, William
Gordon, Richard	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Matthews, Carolyn
Oigny, Jeffrey	Osborne, Jason	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Welch, David
Weyler, Kenneth			

**STRAFFORD**

Cheney, Catherine	Graham, Robert	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullen, John	Turcotte, Leonard	Wuelper, Kurt	

**SULLIVAN**

Laware, Thomas                      Rollins, Skip  
and the majority committee report was adopted.

**HB 1270**, relative to a jury’s determination as to the applicability of a law. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**  
Rep. Gary Hopper for the Majority of Judiciary. This bill is not jury nullification. This bill does not turn the practice of law in New Hampshire on its head. Rather, this bill clarifies the current burden of proof in the jury instruction given by the judge to juries in criminal cases and requires this instruction to be given only at the request of the defendant or the defendant’s attorney. The current jury instruction given is, “If you have a reasonable doubt as to whether the state has proved any one or more of the elements of the crime charged, you must find the defendant not guilty. However if you find that the state has proved all the elements of the offense charged beyond a reasonable

doubt, you should find the defendant guilty.” The word “should” as we know in this legislative body means “may or can if you decide to.” To a juror who has never served in the legislative body, this “may or can” can be confusing when given with all of the other multiple pages of jury instructions provided at one time. The last line in this bill clarifies that “should” to mean, “Even if you find that the state has proved all of the elements of the offense charged beyond a reasonable doubt, you may still find that based upon the facts of the case a guilty verdict will yield an unjust result, and you may find the defendant not guilty.” This does not tell to the jury they can disregard the “law.” The language merely reinforces law, as we have always known it in New Hampshire, which is that the jury is the finder of fact and the jury has the ability based upon the “facts” to find the defendant not guilty. The majority of the committee felt this law was necessary and would assist the jury in promoting justice in our state. Vote 9-8.

Rep. Paul Berch for the Minority of Judiciary. New Hampshire already has laws and court decisions governing what the jury may be told regarding its right to judge facts and the application of the law in relation to the facts in a criminal case. This bill would radically change the landscape by allowing a jury instruction supporting jury nullification that would grant the jury the right to ignore the law and reach a verdict based upon subjective concepts of just and unjust results, regardless of law. Not only is this bill likely unconstitutional, it would potentially change how every criminal trial is conducted. We are a country governed by the rule of law and this bill would substitute an arbitrary and unknowable standard in its place. Additionally, the bill would allow the jury to improperly invade the province of the judge in the realm of sentencing. There are significant separation of powers issues, as this legislation would interfere with the court’s core adjudicative function. Testimony provided to the committee showed that this idea would not work in practice – the rules of evidence would have to be radically revised to allow prosecutors to show why a guilty verdict would be just; mini-trials would need to be held to show why the criminal statute involved was a just statute in the eyes of the legislature that passed it.

### **Majority Amendment (0253h)**

Amend the bill by replacing section 2 with the following:

2 Jury Instruction. RSA 519:23-a is repealed and reenacted to read as follows:

519:23-a Jury Instruction. In all criminal proceedings the court shall inform the jury of its right to judge the facts and the application of the law in relation to the facts in controversy. At the request of the defendant or the defendant’s attorney, the court shall instruct the jury as follows: If you have a reasonable doubt as to whether the state has proved any one or more of the elements of the crime charged, you must find the defendant not guilty. However if you find that the state has proved all the elements of the offense charged beyond a reasonable doubt, you should find the defendant guilty. Even if you find that the state has proved all of the elements of the offense charged beyond a reasonable doubt, you may still find that based upon the facts of this case a guilty verdict will yield an unjust result, and you may find the defendant not guilty.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Berch spoke against.

Rep. Hopper spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 184 NAYS 145**

**YEAS - 184**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Russell, David	Spanos, Peter	Sylvia, Michael	Vadney, Herbert
Varney, Peter			

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

**CHESHIRE**

Hunt, John

McConnell, James

Tilton, Benjamin

**COOS**Fothergill, John  
Thomas, Yvonne

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Brown, Duane  
Hull, RobertDarrow, Stephen  
Ingbreton, PaulGionet, Edmond  
Johnson, EricHennessey, Erin  
Ladd, Rick**HILLSBOROUGH**Adams, Christopher  
Biggie, Barbara  
Byron, Frank  
Donovan, Daniel  
Estevez, Eric  
Gagne, Larry  
Hinch, Richard  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Proulx, Mark  
Sanborn, Laurie  
Smith, Gregory  
Ulery, JordanAmmon, Keith  
Boehm, Ralph  
Christie, Rick  
Eastman, Eric  
Ferreira, Elizabeth  
Gonzalez, Carlos  
Hogan, Edith  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Ohm, Bill  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria  
Wolf, TerryBalcom, John  
Bouldin, Amanda  
Coffey, James  
Edelblut, Frank  
Flanagan, Jack  
Gould, Linda  
Hopper, Gary  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Parison, James  
Rouillard, Claire  
Seidel, Carl  
Sweeney, Shawn  
Zaricki, NickBelanger, James  
Burt, John  
Danielson, David  
Edwards, Elizabeth  
Fromuth, Bart  
Hansen, Peter  
Kurk, Neal  
McCarthy, Peggy  
Murotake, David  
Ober, Lynne  
Pellegrino, Anthony  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy**MERRIMACK**Brewster, Michael  
Horn, Werner  
Marple, Richard  
Seaworth, BrianFrench, Harold  
Kotowski, Frank  
Martin, John  
Walsh, ThomasHill, Gregory  
Kuch, Bill  
McGuire, CarolHoell, J.R.  
Long, Douglas  
McGuire, Dan**ROCKINGHAM**Abrami, Patrick  
Barnes, Arthur  
Chirichiello, Brian  
Duarte, Joe  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Milz, David  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Tucker, Pamela  
Weyler, KennethAbramson, Max  
Bates, David  
Cook, Allen  
Elliott, Robert  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
Nigrello, Robert  
Packard, Sherman  
Rice, Frederick  
Thomas, Douglas  
Ward, Joanne  
Woitkun, StevenAllen, Mary  
Bush, Carol  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Peckham, Michele  
Spillane, James  
Tilton, Rio  
Webb, JamesBaldasaro, Alfred  
Chase, Francis  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
Oigny, Jeffrey  
Potucek, John  
Sweeney, Joe  
True, Chris  
Welch, David**STRAFFORD**Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, LeonardCheney, Catherine  
Groen, Warren  
Knowles, Robert  
Wuelper, KurtGardner, Janice  
Hannon, Joseph  
Leeman, DonGraham, Robert  
Jones, Laura  
Mullen, John**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

## NAYS - 145 BELKNAP

Fields, Dennis	LeBreche, Shari	Tilton, Franklin
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## CARROLL

Buco, Thomas	Butler, Edward	Parker, Harold	Ticehurst, Susan
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## CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

## COOS

Frobург, Alethea	Hatch, William	Moynihan, Wayne	Tholl, John
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## GRAFTON

Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

## HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Brown, Pamela
Christensen, Chris	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Cote, David	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Harvey, Suzanne	Heath, Mary	Jack, Martin
Judy, Jean	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	O'Neil, William	Palmer, Barry	Peterson, Ken
Pierce, David	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit		

## MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	Henle, Paul
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Myler, Mel	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah		

## ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Christie, Andrew	Cushing, Robert	DiFranco, Debbie
Francese, Paula	Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Pantelakos, Laura	Simpson, Alexis	Vose, Michael
Ward, Gerald			

## STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet

SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report was adopted and ordered to third reading.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered 144, 227 and 265.

Rep. Hinch, Sen. Prescott for the Committee

REGULAR CALENDAR CONT'D

**HB 1328**, limiting pregnancy terminations to pregnancies of 20 weeks or less. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Timothy Horrigan for the Majority of Judiciary. This bill as introduced would have banned all abortions after 20 weeks of pregnancy. It would have eliminated the option for New Hampshire women to legally terminate a pregnancy after the middle of the second trimester. This represents unwarranted government interference with women's reproductive decisions and with the practice of medicine. There are also numerous legal and medical flaws with this bill. It threatens women's health by banning abortion even when serious medical conditions jeopardize a woman's health. While the bill does have very narrow exceptions, they are inadequate to protect women's health and safety. For example, women with cancer, diabetes, high blood pressure, and epilepsy or other seizure disorders may face dangerous complications at or past week 20 that can put their health in serious jeopardy. Abortion after 20 weeks in pregnancy is extremely rare: only one percent of women have abortions after 20 weeks. When it does happen, it is typically because of a heartbreaking and tragic situation where a woman and her doctor need every medical option available. These very often involve rare, severe fetal anomalies which are not detectable before 20 weeks. Vote 11-9.

Rep. Joseph Hagan for the Minority of Judiciary. *Roe v. Wade* stated that subsequent to viability, the state, in promoting its interest in human life, may, if it chooses, regulate and even proscribe (ban) abortion. This bill would ban abortions after viability except when life and health of the mother is at risk or condition of the fetus demands removal for the uterus. Over the last decade, according to the Gallup Poll, greater than 80% of the American people agree that abortion should be banned after viability. This bill is constitutional, compassionate and supported by the majority of the American people.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 182 NAYS 144

YEAS - 182

BELKNAP

Aldrich, Glen  
Russell, David

Fields, Dennis  
Vadney, Herbert

Fisher, Robert

Flanders, Donald

CARROLL

Butler, Edward  
Wright, Ted

Crawford, Karel

Ticehurst, Susan

Umberger, Karen

CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Berch, Paul  
Hunt, John  
McConnell, James  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

COOS

Froborg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

Rappaport, Laurence



**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Ladd, Rick  
Sykes, George

Brown, Rebecca  
Hennessey, Erin  
Maes, Kevin  
Townsend, Charles

Cooney, Mary  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Belanger, James  
Cohen, Alan  
Estevez, Eric  
Gidge, Kenneth  
Hansen, Peter  
Kurk, Neal  
Manley, Jonathan  
Porter, Marjorie  
Schleien, Eric  
Snow, Kendall  
Vann, Ivy

Balcom, John  
Brown, Pamela  
Cornell, Patricia  
Flanagan, Jack  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter  
Marston, Dick  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Baroody, Benjamin  
Byron, Frank  
Cote, David  
Forest, Armand  
Gorman, Mary  
Heath, Mary  
Long, Patrick  
O'Neil, William  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Christensen, Chris  
Edwards, Elizabeth  
Freitas, Mary  
Guerette, C. Lee  
Jack, Martin  
Mangipudi, Latha  
Ober, Lynne  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Turcotte, Alan

Bartlett, Christy  
Ebel, Karen  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bradley, Paula  
Frazer, June  
Kuch, Bill  
Marple, Richard  
Rice, Chip  
Seaworth, Brian  
Wheeler, Deborah

Deloge, Helen  
Henle, Paul  
Long, Douglas  
Martin, John  
Rogers, Katherine  
Shurtleff, Stephen

**ROCKINGHAM**

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Francese, Paula  
Guthrie, Joseph  
Miltz, David  
Peckham, Michele  
Vose, Michael

Berrien, Skip  
Cardon, G. Thomas  
DiFranco, Debbie  
Friel, William  
Heffron, Frank  
Nigrello, Robert  
Simpson, Alexis  
Ward, Gerald

Borden, David  
Chase, Francis  
Elliott, Robert  
Gordon, Pamela  
Lovejoy, Patricia  
Osborne, Jason  
Sweeney, Joe  
Webb, James

Cahill, Michael  
Christie, Andrew  
Ferrante, Beverly  
Griffin, Mary  
McBeath, Rebecca  
Pantelakos, Laura  
Tilton, Rio  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Horrigan, Timothy  
Smith, Marjorie  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

Bixby, Peter  
Gardner, Janice  
Rollo, Deanna  
Spang, Judith

Burton, Wayne  
Hannon, Joseph  
Schmidt, Peter  
Sprague, Dale

**SULLIVAN**

Cloutier, John

Converse, Larry

Gottling, Suzanne

Irwin, Virginia

**NAYS - 144****BELKNAP**

Dumais, Russell  
Hurt, George  
Varney, Peter

Fraser, Valerie  
LeBreche, Shari

Gallagher, Brian  
Spanos, Peter

Howard, Jr., Raymond  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

**COOS**

Fothergill, John	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Brown, Duane	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Massimilla, Linda		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Biggie, Barbara	Boehm, Ralph
Burt, John	Christiansen, Lars	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos
Gould, Linda	Griffin, Barbara	Haefner, Robert	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Jeady, Jean
Lachance, Joseph	LeBrun, Donald	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	McGuire, Carol	McGuire, Dan
Walsh, Thomas			

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Bates, David	Bush, Carol	Chirichiello, Brian	Cook, Allen
Dean-Bailey, Yvonne	Devine, James	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Gordon, Richard	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter	Matthews, Carolyn
O'Connor, John	Oigny, Jeffrey	Packard, Sherman	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Ward, Joanne
Welch, David	Weyler, Kenneth		

**STRAFFORD**

Cheney, Catherine	Graham, Robert	Gray, James	Groen, Warren
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullen, John	Stevens, Audrey	Turcotte, Leonard	Wuelper, Kurt

**SULLIVAN**

Gagnon, Raymond	Laware, Thomas	Rollins, Skip	Smith, Steven
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and the majority committee report was adopted.

**HB 1361**, relative to service of process by attorneys and justices of the peace. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Claire Rouillard for the Majority of Judiciary. This bill allows police officers to provide "civil" service of process. Civil process is currently completed by sheriffs and deputy sheriffs. Civil service of process includes landlord-tenant issues, evictions, custody and divorce proceedings, etc. Police officers currently serve "criminal" processes, which can involve restraining orders, criminal complaints, etc. Testimony by police and sheriff departments was that neither wanted to expand their duties. Police do not want to take away time from protecting their citizens. Also, additional training on civil process would be necessary for police departments. Vote 16-4.

Rep. Robert Hull for the Minority of Judiciary. This bill with amendment amends RSA 105 to allow police officers to serve process in the same manner as sheriffs and sheriffs' deputies. The current procedure is cumbersome and costly. This bill will create a voluntary option for municipalities to allow the local police officer to serve process in lieu of the sheriffs, thereby saving the person seeking the service from additional travel expense and generating revenue for the municipality. Majority committee report adopted.

**HB 1399-FN, requiring licensure of outpatient abortion clinics. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Larry Phillips for the Majority of Judiciary. The bipartisan majority of the committee believes this bill is neither appropriate nor necessary. Licensing of medical facilities is determined based on needs for safety. There are procedures done in unlicensed physician's offices that are not as safe as abortions. Although facilities may not be licensed, medical professionals who work in them, including abortion clinics, are. Vote 14-5.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that abortion clinics should be licensed because women across our country have died because of inadequate facilities at abortion clinics. Women have died because of blocked exit doors, hallways not wide enough for emergency equipment and other difficulties with the physical facilities. This bill left the Department of Health and Human Services to decide what requirements would be. We think New Hampshire women deserve the protection that clinic licensing would provide.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. White requested a roll call; sufficiently seconded.

**YEAS 203 NAYS 121**

**YEAS - 203**

**BELKNAP**

Dumais, Russell	Fields, Dennis	Fisher, Robert	Flanders, Donald
Hurt, George	Russell, David	Vadney, Herbert	

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	Wright, Ted

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

**COOS**

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Tholl, John	Thomas, Yvonne	

**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Ammon, Keith	Backus, Robert	Balcom, John	Beaulieu, Jane
Belanger, James	Brown, Pamela	Byron, Frank	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Cote, David
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack

Forest, Armand  
Gorman, Mary  
Harvey, Suzanne  
Judy, Jean  
Mangipudi, Latha  
O'Neil, William  
Roberts, Carol  
Shattuck, Gilman  
Snow, Kendall  
Takesian, Charlene  
Wolf, Terry

Freitas, Mary  
Griffin, Barbara  
Heath, Mary  
Kurk, Neal  
Manley, Jonathan  
Peterson, Ken  
Rosenwald, Cindy  
Shaw, Barbara  
Soucy, Timothy  
Vann, Ivy  
Zaricki, Nick

Gidge, Kenneth  
Guerette, C. Lee  
Infantine, William  
Leishman, Peter  
Marston, Dick  
Porter, Marjorie  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Daniel  
Walsh, Robert

Goley, Jeffrey  
Haefner, Robert  
Jack, Martin  
Long, Patrick  
McLean, Mark  
Proulx, Mark  
Schleien, Eric  
Smith, Timothy  
Sweeney, Shawn  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Doherty, David  
Kenison, Linda  
MacKay, James  
Rice, Chip  
Seaworth, Brian  
Walsh, Thomas

Bartlett, Christy  
Ebel, Karen  
Kotowski, Frank  
Marple, Richard  
Rogers, Katherine  
Shurtleff, Stephen  
Wheeler, Deborah

Bradley, Paula  
Frazer, June  
Long, Douglas  
Myler, Mel  
Saunderson, George  
Turcotte, Alan

Deloge, Helen  
Henle, Paul  
Luneau, David  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Chase, Francis  
DiFranco, Debbie  
Friel, William  
Kolodziej, Walter  
Packard, Sherman  
Thomas, Douglas  
Webb, James

Allen, Mary  
Cahill, Michael  
Christie, Andrew  
Elliott, Robert  
Gordon, Pamela  
Lovejoy, Patricia  
Pantelakos, Laura  
Tilton, Rio  
Woitkun, Steven

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Ferrante, Beverly  
Heffron, Frank  
McBeath, Rebecca  
Simpson, Alexis  
Ward, Gerald

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Francese, Paula  
Introne, Robert  
Milz, David  
Sweeney, Joe  
Ward, Joanne

### STRAFFORD

Baber, William  
Cheney, Catherine  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Bickford, David  
Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bixby, Peter  
DiSesa, Len  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Gardner, Janice  
Schmidt, Peter  
Sprague, Dale

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Smith, Steven

Gagnon, Raymond

Gottling, Suzanne

### NAYS - 121

#### BELKNAP

Aldrich, Glen  
LeBreche, Shari

Fraser, Valerie  
Spanos, Peter

Gallagher, Brian  
Tilton, Franklin

Howard, Jr., Raymond  
Varney, Peter

### CARROLL

Avellani, Lino  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank

### CHESHIRE

Roberts, Kris

### COOS

Fothergill, John

Rideout, Leon

**GRAFTON**

Brown, Duane	Gionet, Edmond	Ingbretson, Paul	Johnson, Eric
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**HILLSBOROUGH**

Adams, Christopher	Baroody, Benjamin	Biggie, Barbara	Boehm, Ralph
Burt, John	Christie, Rick	Coffey, James	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Fromuth, Bart
Gagne, Larry	Gonzalez, Carlos	Gould, Linda	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Lachance, Joseph
LeBrun, Donald	McCarthy, Peggy	McClarren, Donald	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Pierce, David	Rice, Kimberly	Rowe, Robert	Sanborn, Laurie
Seidel, Carl	Simmons, Tammy	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan			

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Martin, John	McGuire, Carol
McGuire, Dan			

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe
Emerick, J. Tracy	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Matthews, Carolyn	Nigrello, Robert	O'Connor, John	Oigny, Jeffrey
Osborne, Jason	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Spillane, James	Sytek, John	True, Chris
Tucker, Pamela	Vose, Michael	Welch, David	Weyler, Kenneth

**STRAFFORD**

Graham, Robert	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullen, John	Turcotte, Leonard	Wuelper, Kurt	

**SULLIVAN**

Laware, Thomas	Rollins, Skip
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and the majority committee report was adopted.

**HB 1417, relative to records of convenings of public bodies. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Horrigan for the Majority of Judiciary. RSA 91-A, the right to know statute, allows for what are colloquially termed "non-meetings," where a quorum or majority of the members of a public body convenes for certain narrowly defined purposes. The majority of the committee recognizes that these non-meetings can be controversial, but also recognizes that they are necessary when negotiating collective bargaining contracts and when consulting with legal counsel. This bill would have complicated public bodies' attempts to deal with these issues without adding any transparency to their work. Vote 11-7.

Rep. Michael Sylvia for the Minority of Judiciary. Under our right to know statute, RSA 91-A:2 defines "meetings" and provides for exceptions to meetings which are commonly referred to as "non-meetings." This bill seeks to address two such types of "non-meetings:" strategy or negotiations with respect to collective bargaining and consultation with legal counsel. This bill as amended would require that records be kept of such "non-meetings" which would include the specific exemption which is relied upon as the foundation for the "non-meeting," names of members, meeting places, and beginning and ending time. This information would then be subject to disclosure after 72 hours which is the case with nonpublic sessions. The minority of the committee believes that this will benefit the people of New Hampshire and aid in transparency as required under our Constitution's Part I, Article 8.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 189 NAYS 135**

**YEAS - 189**

**BELKNAP**

Fields, Dennis  
Tilton, Franklin

Flanders, Donald

LeBreche, Shari

Russell, David

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Berch, Paul  
Hunt, John  
Pearson, William  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Froborg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

Almy, Susan  
Ford, Susan  
Ladd, Rick  
Smith, Suzanne

Brown, Rebecca  
Hennessey, Erin  
Maes, Kevin  
Sykes, George

Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Coffey, James  
Danielson, David  
Gagne, Larry  
Griffin, Barbara  
Heath, Mary  
Jeudy, Jean  
Manley, Jonathan  
Pierce, David  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene

Balcom, John  
Byron, Frank  
Cohen, Alan  
Flanagan, Jack  
Gidge, Kenneth  
Guerette, C. Lee  
Hinch, Richard  
Kurk, Neal  
O'Neil, William  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

Baroody, Benjamin  
Christensen, Chris  
Cornell, Patricia  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Infantine, William  
Long, Patrick  
Pellegrino, Anthony  
Proulx, Mark  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Beaulieu, Jane  
Christiansen, Lars  
Cote, David  
Freitas, Mary  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
Mangipudi, Latha  
Peterson, Ken  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Kenison, Linda  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Ebel, Karen  
Kotowski, Frank  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Bradley, Paula  
Frazer, June  
Luneau, David  
Rice, Chip  
Shurtleff, Stephen  
Wheeler, Deborah

Deloge, Helen  
Henle, Paul  
MacKay, James  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael

Barnes, Arthur  
Cardon, G. Thomas

Berrien, Skip  
Chase, Francis

Borden, David  
Christie, Andrew

Cushing, Robert  
Gordon, Pamela  
Introne, Robert  
Milz, David  
Peckham, Michele  
Tilton, Rio  
Woitkun, Steven

DiFranco, Debbie  
Griffin, Mary  
Lovejoy, Patricia  
Nigrello, Robert  
Simpson, Alexis  
Ward, Gerald

Elliott, Robert  
Heffron, Frank  
Matthews, Carolyn  
Packard, Sherman  
Sweeney, Joe  
Ward, Joanne

Francesse, Paula  
Hoelzel, Kathleen  
McBeath, Rebecca  
Pantelakos, Laura  
Sytek, John  
Webb, James

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Horrigan, Timothy  
Southworth, Thomas  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Gardner, Janice  
Rollo, Deanna  
Sprague, Dale

Burton, Wayne  
Gray, James  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Smith, Steven

Gagnon, Raymond

Gottling, Suzanne

### NAYS - 135

#### BELKNAP

Aldrich, Glen  
Gallagher, Brian  
Sylvia, Michael

Dumais, Russell  
Howard, Jr., Raymond  
Vadney, Herbert

Fisher, Robert  
Hurt, George  
Varney, Peter

Fraser, Valerie  
Spanos, Peter

#### CARROLL

Avellani, Lino  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

#### CHESHIRE

McConnell, James

Sterling, Franklin

#### COOS

Fothergill, John

Rappaport, Laurence

Rideout, Leon

#### GRAFTON

Brown, Duane  
Johnson, Eric

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

### HILLSBOROUGH

Adams, Christopher  
Boehm, Ralph  
Eastman, Eric  
Ferreira, Elizabeth  
Hansen, Peter  
Leishman, Peter  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Schleien, Eric  
Sullivan, Victoria  
Wolf, Terry

Ammon, Keith  
Burt, John  
Edelblut, Frank  
Fromuth, Bart  
Hogan, Edith  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Rice, Kimberly  
Seidel, Carl  
Sweeney, Shawn  
Zarick, Nick

Belanger, James  
Christie, Rick  
Edwards, Elizabeth  
Gonzalez, Carlos  
Lachance, Joseph  
McCarthy, Peggy  
Murotake, David  
Ohm, Bill  
Rouillard, Claire  
Simmons, Tammy  
Twombly, Timothy

Biggie, Barbara  
Donovan, Daniel  
Estevez, Eric  
Gould, Linda  
LeBrun, Donald  
McClarren, Donald  
Murphy, Keith  
Palmer, Barry  
Sanborn, Laurie  
Smith, Gregory  
Ulery, Jordan

### MERRIMACK

Brewster, Michael  
Horn, Werner  
Martin, John

French, Harold  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Seaworth, Brian

### ROCKINGHAM

Abramson, Max  
Bush, Carol

Allen, Mary  
Cali-Pitts, Jacqueline

Baldasaro, Alfred  
Chirichiello, Brian

Bates, David  
Cook, Allen

Dean-Bailey, Yvonne  
 Ferrante, Beverly  
 Green, Dennis  
 Itse, Daniel  
 O'Connor, John  
 Prudhomme-O'Brien, Katherine  
 True, Chris  
 Weyler, Kenneth

Devine, James  
 Friel, William  
 Guthrie, Joseph  
 Kappler, Lawrence  
 Oligny, Jeffrey  
 Rice, Frederick  
 Tucker, Pamela

Duarte, Joe  
 Gannon, William  
 Harris, Jeffrey  
 Katsakiores, Phyllis  
 Osborne, Jason  
 Spillane, James  
 Vose, Michael

Emerick, J. Tracy  
 Gordon, Richard  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 Potucek, John  
 Thomas, Douglas  
 Welch, David

### STRAFFORD

Cheney, Catherine  
 Jones, Laura  
 Mullen, John

Graham, Robert  
 Kaczynski, Jr., Thomas  
 Smith, Marjorie

Groen, Warren  
 Knowles, Robert  
 Turcotte, Leonard

Hannon, Joseph  
 Leeman, Don  
 Wuelper, Kurt

### SULLIVAN

Laware, Thomas  
 and the majority committee report was adopted.

**HB 1481**, relative to the qualifications of jurors. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would require jurors to be citizens of New Hampshire, citizens of the United States and to have read the New Hampshire Constitution. The majority believes that the change in citizenship wording is redundant as a citizen of New Hampshire is already defined as a citizen of the United States residing in New Hampshire, and that the requirement to have read the New Hampshire Constitution would be ineffective in giving jurors any significant understanding of it. Vote 15-2.  
 Committee report adopted.

**HB 1493**, relative to ownership of DNA. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Hopper for the Majority of Judiciary. This bill as amended codifies in law the idea that your genetic information, the code that exposes all your predispositions both good and bad, is yours to control. The first human genome sequencing took 13 years. It now takes one day. The majority of the committee believes that this information is so personal it should be your choice whether or not to share it. The only exception to that would be for a criminal investigation. Vote 11-9.

Rep. Charlene Takesian for the Minority of Judiciary. This bill is a good idea and the minority agreed with the concept but were concerned about retaining DNA acquired at a crime scene and the usage of DNA during criminal trials. It also cuts out medical and genetic research that could result in medical advancements by requiring consent for the research.

### Majority Amendment (0712h)

Amend the bill by replacing section 3 with the following:

3 New Section; Genetic Testing; Individual Right to Genetic Information. Amend RSA 141-H by inserting after section 2 the following new section:

141-H:2-a Individual Right to Genetic Information. An individual's genetic information and DNA sample are the property of the individual, and, except as expressly otherwise provided in statute, shall not be acquired, retained, or disclosed without the written consent of the individual or his or her legal representative or, after the individual's death, his or her executor or other legal representative. This section shall not apply to the identification of individuals in criminal investigations.

### AMENDED ANALYSIS

This bill provides that an individual's genetic information and DNA sample are the property of the individual and, with limited exception, shall not be acquired, retained, or disclosed without consent. Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**HB 1496**, relative to the expectation of privacy in personal materials. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This bill seeks to extend privacy protections to physical items owned or possessed by an individual, whether or not abandoned. It would require warrants or court orders



in most circumstances to allow governments and governmental contractors to collect such material. The committee was sympathetic to the goal of this proposed legislation, but felt the bill had significant problems. It would include seizures by the federal government, thus creating federal-state problems. It includes all those who contract with the government, which makes the scope of this bill extremely large. It would allow individuals to make privacy claims even to materials that the individual had abandoned or discarded at times in the recent or distant past. The exception for law enforcement activity was too narrowly drawn, applying only to materials collected at the actual crime scene, and not found in other relevant locations. The bill would also potentially affect the operations of the Judicial Branch and state regulatory agencies in the performance of their statutory functions. Given the protections already established by law, the committee felt this was a solution in search of a problem. Vote 14-6.

The question being adoption of the committee report of Inexpedient to Legislate.  
Rep. Osborne requested a roll call; sufficiently seconded.

## YEAS 215 NAYS 108

### YEAS - 215

#### BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	LeBreche, Shari
Russell, David			

#### CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Weber, Lucy	

#### COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Tholl, John	Thomas, Yvonne

#### GRAFTON

Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Ford, Susan	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

#### HILLSBOROUGH

Adams, Christopher	Backus, Robert	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Biggle, Barbara	Brown, Pamela	Christensen, Chris
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Donovan, Daniel	Edwards, Elizabeth	Flanagan, Jack	Forest, Armand
Freitas, Mary	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Infantine, William	Jack, Martin	Judy, Jean	Kurk, Neal
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
O'Neil, William	Palmer, Barry	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Seidel, Carl	Shattuck, Gilman

Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Snow, Kendall  
Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
Doherty, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Turcotte, Alan

Bartlett, Christy  
Ebel, Karen  
Kotowski, Frank  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
Frazer, June  
Long, Douglas  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Deloge, Helen  
Henle, Paul  
Luneau, David  
Rice, Chip  
Shurtleff, Stephen  
Wheeler, Deborah

### ROCKINGHAM

Abrami, Patrick  
Cahill, Michael  
Chirichiello, Brian  
DiFranco, Debbie  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Welch, David

Berrien, Skip  
Cali-Pitts, Jacqueline  
Christie, Andrew  
Elliott, Robert  
Guthrie, Joseph  
Katsakiores, Phyllis  
McBeath, Rebecca  
Packard, Sherman  
Simpson, Alexis  
Ward, Gerald  
Weyler, Kenneth

Borden, David  
Cardon, G. Thomas  
Cushing, Robert  
Francese, Paula  
Heffron, Frank  
Kolodziej, Walter  
Miltz, David  
Pantelakos, Laura  
Sweeney, Joe  
Ward, Joanne  
Woitkun, Steven

Bush, Carol  
Chase, Francis  
Devine, James  
Gordon, Pamela  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Nigrello, Robert  
Peckham, Michele  
Sytek, John  
Webb, James

### STRAFFORD

Baber, William  
Cheney, Catherine  
Graham, Robert  
Leeman, Don  
Smith, Marjorie  
Stevens, Audrey

Bickford, David  
Cilley, Jacalyn  
Gray, James  
Mullen, John  
Southworth, Thomas  
Treleven, Susan

Bixby, Peter  
DiSesa, Len  
Horriggan, Timothy  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Gardner, Janice  
Kaen, Naida  
Schmidt, Peter  
Sprague, Dale  
Wuelper, Kurt

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Smith, Steven

Gagnon, Raymond

Gottling, Suzanne

### NAYS - 108

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Tilton, Franklin

Fisher, Robert  
Hurt, George  
Vadney, Herbert

Fraser, Valerie  
Spanos, Peter  
Varney, Peter

Gallagher, Brian  
Sylvia, Michael

### CARROLL

Avellani, Lino  
Wright, Ted

Comeau, Ed

McCarthy, Frank

Nelson, Bill

### CHESHIRE

McConnell, James

Tilton, Benjamin

### COOS

### GRAFTON

Brown, Duane  
Johnson, Eric

Darrow, Stephen

Gionet, Edmond

Ingbretson, Paul

### HILLSBOROUGH

Ammon, Keith  
Byron, Frank

Balcom, John  
Christiansen, Lars

Boehm, Ralph  
Christie, Rick

Burt, John  
Danielson, David

Eastman, Eric  
Fromuth, Bart  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Simmons, Tammy  
Zaricki, Nick

Edelblut, Frank  
Hansen, Peter  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Rice, Kimberly  
Sullivan, Victoria

Estevez, Eric  
Hogan, Edith  
McCarthy, Peggy  
Murotake, David  
Ohm, Bill  
Sanborn, Laurie  
Sweeney, Shawn

Ferreira, Elizabeth  
Hopper, Gary  
McClarren, Donald  
Murphy, Keith  
Parison, James  
Schleien, Eric  
Ulery, Jordan

### MERRIMACK

Brewster, Michael  
Horn, Werner  
McGuire, Carol

French, Harold  
Kuch, Bill  
McGuire, Dan

Hill, Gregory  
Marple, Richard  
Seaworth, Brian

Hoell, J.R.  
Martin, John

### ROCKINGHAM

Abramson, Max  
Bates, David  
Emerick, J. Tracy  
Gordon, Richard  
Itse, Daniel  
Potucek, John  
Tilton, Rio

Allen, Mary  
Cook, Allen  
Ferrante, Beverly  
Green, Dennis  
Kappler, Lawrence  
Rice, Frederick  
True, Chris

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Friel, William  
Harris, Jeffrey  
Oligny, Jeffrey  
Schroadter, Adam  
Tucker, Pamela

Barnes, Arthur  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Osborne, Jason  
Spillane, James  
Vose, Michael

### STRAFFORD

Groen, Warren  
Knowles, Robert

Hannon, Joseph  
Turcotte, Leonard

Jones, Laura

Kaczynski, Jr., Thomas

### SULLIVAN

Laware, Thomas                      Rollins, Skip  
and the committee report was adopted.

**HB 1522**, adopting the Federal Rules of Civil Procedure as law. **INEXPEDIENT TO LEGISLATE.** Rep. Paul Berch for Judiciary. This bill would seek to supplant the rules of practice and procedure in all state courts of New Hampshire with the Federal Rules of Civil Procedure. At the present time, state court rules, whether governing civil trials, family law matters, probate or other aspects of civil law are promulgated by the New Hampshire Supreme Court, based upon recommendations and input from interested parties including the Advisory Committee on Rules, the New Hampshire General Court, practitioners and the public. In part, these rules may be based on federal experience as well as the experience of courts in other states. All are examined through the lens of what works in the Granite State. This bill would eliminate these finely crafted rules and substitute hundreds of federal rules. An almost unanimous Judiciary Committee, on a bipartisan basis, recommends against this idea. The committee felt that the Federal Rules were designed to mostly operate in one court, while our rules cover multiple courts. Even more importantly, the federal rules were seen to govern mostly complex litigation, such as class action lawsuits, while New Hampshire civil rules govern mostly smaller, day-to-day litigation. The committee found there was no evidence that federal rules are any better in operation than the New Hampshire rules and had further concern that requiring our state to follow federal rules in our courts raised a state sovereignty issue. The bill made no provision for what would happen if the federal rules were amended, which happens frequently. Vote 16-1. Committee report adopted.

**HB 1555-FN**, relative to the manner in which New Hampshire takes possession of land. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph Hagan for Judiciary. This bill purports to be a reform of the eminent domain process. However, this bill would allow the condemnee (property owner) to refuse that compensation after a "value of the property" is made and force the condemnor (government entity) to wait 180 days to make a new offer. Furthermore, this bill makes no limitations on subsequent referrals. This bill, if enacted, could halt needed takings for roads and other necessary public purposes. Vote 15-3. Committee report adopted.

**HB 1570-FN**, repealing the law governing access to reproductive health care facilities. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This bill seeks to repeal the law governing citizens' access to public property in front of reproductive health care facilities. The majority believes the current law is an unconstitutional restriction on the people's right to freedom of speech and access to public property. Keeping the law commits the state to years of legal expense defending a law that purports to resolve a problem never substantiated by any documented offense. Vote 11-9.

Rep. David Woodbury for the Minority of Judiciary. This bill seeks, for a second time, to repeal RSA 132:37 through 132:40, passed in 2014. The statute is dissimilar to a Massachusetts statute found unconstitutional in 2014 because the buffer zone is smaller and subject to modification as conditions require. The statute strikes a fair balance between the interests of these lawfully using the sidewalks and access ways and those wishing to express their opposition to the abortion procedure. The statute is on hold until the federal court rules and should not be repealed, if at all, until the court rules.

The question being adoption of the majority committee report of Ought to Pass.

Reps. Heffron and Wall spoke against.

Rep. Wuelper spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 160 NAYS 152**

**YEAS - 160**

**BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Fisher, Robert  
Hurt, George  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Hunt, John

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Brown, Duane  
Johnson, Eric

Hennessey, Erin

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Ferreira, Elizabeth  
Gidge, Kenneth  
Haefner, Robert  
Hopper, Gary  
McCarthy, Peggy  
Murotake, David  
Ohm, Bill  
Rouillard, Claire  
Seidel, Carl  
Twombly, Timothy

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Flanagan, Jack  
Gonzalez, Carlos  
Hansen, Peter  
Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Palmer, Barry  
Rowe, Robert  
Simmons, Tammy  
Ulery, Jordan

Balcom, John  
Burt, John  
Coffey, James  
Edwards, Elizabeth  
Fromuth, Bart  
Gould, Linda  
Hinch, Richard  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Sanborn, Laurie  
Sullivan, Victoria  
Zaricki, Nick

Belanger, James  
Byron, Frank  
Danielson, David  
Estevez, Eric  
Gagne, Larry  
Griffin, Barbara  
Hogan, Edith  
Marston, Dick  
Moore, Josh  
O'Brien, William  
Rice, Kimberly  
Schleien, Eric  
Sweeney, Shawn

**MERRIMACK**

French, Harold  
Kotowski, Frank  
McGuire, Dan

Hill, Gregory  
Kuch, Bill  
Seaworth, Brian

Hoell, J.R.  
Martin, John  
Walsh, Thomas

Horn, Werner  
McGuire, Carol  
Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick  
Bush, Carol  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Matthews, Carolyn  
Osborne, Jason  
Rice, Frederick  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

Abramson, Max  
Chase, Francis  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Miltz, David  
Packard, Sherman  
Spillane, James  
Tilton, Rio  
Ward, Joanne

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Nigrello, Robert  
Potucek, John  
Sweeney, Joe  
True, Chris  
Webb, James

Bates, David  
Duarte, Joe  
Gannon, William  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Tucker, Pamela  
Welch, David

**STRAFFORD**

Cheney, Catherine  
Hannon, Joseph  
Leeman, Don

Graham, Robert  
Jones, Laura  
Mullen, John

Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

Smith, Steven

**NAYS - 152****BELKNAP**

Flanders, Donald

Russell, David

**CARROLL**

Buco, Thomas  
Wright, Ted

Butler, Edward

Crawford, Karel

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Ames, Richard  
Eaton, Daniel  
McConnell, James  
Robertson, Timothy  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

**COOS**

Froburg, Alethea

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Sykes, George

Brown, Rebecca  
Gionet, Edmond  
Massimilla, Linda  
Townsend, Charles

Cooney, Mary  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Cornell, Patricia  
Freitas, Mary  
Harvey, Suzanne  
Jeudy, Jean  
Manley, Jonathan

Beaulieu, Jane  
Cote, David  
Goley, Jeffrey  
Heath, Mary  
Leishman, Peter  
O'Neil, William

Christiansen, Lars  
Donovan, Daniel  
Gorman, Mary  
Infantine, William  
Long, Patrick  
Peterson, Ken

Cohen, Alan  
Forest, Armand  
Guerette, C. Lee  
Jack, Martin  
Mangipudi, Latha  
Pierce, David

Porter, Marjorie  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Proulx, Mark  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

Roberts, Carol  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
Henle, Paul  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Kenison, Linda  
Marple, Richard  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Long, Douglas  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Brewster, Michael  
Frazer, June  
Luneau, David  
Ratzki, Mario  
Schuett, Dianne

### ROCKINGHAM

Allen, Mary  
Cali-Pitts, Jacqueline  
Devine, James  
Gordon, Pamela  
Pantelakos, Laura

Berrien, Skip  
Cardon, G. Thomas  
DiFranco, Debbie  
Heffron, Frank  
Peckham, Michele

Borden, David  
Cook, Allen  
Elliott, Robert  
Lovejoy, Patricia  
Simpson, Alexis

Cahill, Michael  
Cushing, Robert  
Francese, Paula  
McBeath, Rebecca  
Ward, Gerald

### STRAFFORD

Baber, William  
DiSesa, Len  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Gardner, Janice  
Schmidt, Peter  
Sprague, Dale

Burton, Wayne  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Rollins, Skip

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report was adopted and ordered to third reading.

#### **HB 1575-FN, prohibiting certain court filing fees. INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Judiciary. This bill seeks to prohibit filing fees in all courts for all civil cases, including appeals, in actions against government entities, official or employees. Current law provides a waiver to individuals who do not have the ability to pay these fees. Additionally, current law provides that the prevailing party in a lawsuit is entitled to recover filing fees paid. Also, as worded, this bill would allow all entities, including corporations that bring actions against our government or its employees to avoid filing fees, even if they have the ability to pay. Vote 14-3.

Committee report adopted.

#### **HB 1623-FN, prohibiting an abortion based on genetic abnormalities. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul Berch for the Majority of Judiciary. This bill seeks to ban abortions based upon prenatal genetic testing. The committee understood the difficult decisions when women and their partners are confronted with a prenatal diagnosis of serious genetic defects. Understanding that women make different decisions based upon their own values, abilities and wisdom, the bipartisan majority of the committee felt it was the right of New Hampshire women to make these difficult decisions themselves, in consultation with medical professionals, rather than by politicians. By making doctors into criminals in certain circumstances, there was a concern that women would be reluctant to have full and candid conversations, jeopardizing doctor-patient relationships. The committee felt that some of the provisions of this bill were of doubtful constitutionality, and other provisions would not work in real life circumstances. Vote 14-5.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that a baby should not be aborted just because she has a genetic marker for an inherited abnormality. Children who carry markers for Down Syndrome should be allowed to grow and become the person they can, not killed by abortion as roughly 90% of those so diagnosed are today. We believe every child has the inalienable right to life and aborting them because of a genetic screening is the ultimate discrimination and should be illegal.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Cordelli spoke against.  
Rep. Berch spoke in favor.  
Rep. White requested a roll call; sufficiently seconded.

**YEAS 224 NAYS 88****YEAS - 224****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Vadney, Herbert

Dumais, Russell  
Fraser, Valerie

Fields, Dennis  
Russell, David

Fisher, Robert  
Spanos, Peter

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Butler, Edward  
Parker, Harold  
Wright, Ted

Comeau, Ed  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Berch, Paul  
Hunt, John  
McConnell, James  
Robertson, Timothy  
Tilton, Benjamin

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Weber, Lucy

**COOS**

Fothergill, John  
Rappaport, Laurence

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Hennessey, Martha  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
White, Andrew

Brown, Rebecca  
Gionet, Edmond  
Hull, Robert  
Smith, Suzanne

Cooney, Mary  
Hennessey, Erin  
Ladd, Rick  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Byron, Frank  
Cornell, Patricia  
Estevez, Eric  
Freitas, Mary  
Gorman, Mary  
Hansen, Peter  
Infantine, William  
Leishman, Peter  
McClarren, Donald  
Porter, Marjorie  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

Ammon, Keith  
Belanger, James  
Christensen, Chris  
Cote, David  
Ferreira, Elizabeth  
Fromuth, Bart  
Griffin, Barbara  
Harvey, Suzanne  
Jack, Martin  
Long, Patrick  
O'Neil, William  
Proulx, Mark  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Backus, Robert  
Biggie, Barbara  
Christiansen, Lars  
Donovan, Daniel  
Flanagan, Jack  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Mangipudi, Latha  
Ohm, Bill  
Roberts, Carol  
Schleien, Eric  
Snow, Kendall  
Vann, Ivy  
Zaricki, Nick

Balcom, John  
Brown, Pamela  
Cohen, Alan  
Edwards, Elizabeth  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Hinch, Richard  
Kurk, Neal  
Manley, Jonathan  
Peterson, Ken  
Rosenwald, Cindy  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
Doherty, David

Bartlett, Christy  
Ebel, Karen

Bradley, Paula  
Frazer, June

Deloge, Helen  
French, Harold

Henle, Paul  
 Luneau, David  
 Ratzki, Mario  
 Schuett, Dianne  
 Wallner, Mary Jane

Kenison, Linda  
 MacKay, James  
 Rice, Chip  
 Seaworth, Brian  
 Walsh, Thomas

Kuch, Bill  
 Marple, Richard  
 Rogers, Katherine  
 Shurtleff, Stephen  
 Wheeler, Deborah

Long, Douglas  
 Myler, Mel  
 Saunderson, George  
 Turcotte, Alan

### ROCKINGHAM

Abrami, Patrick  
 Bush, Carol  
 Chase, Francis  
 Elliott, Robert  
 Friel, William  
 Heffron, Frank  
 Lovejoy, Patricia  
 Nigrello, Robert  
 Potucek, John  
 Vose, Michael  
 Welch, David

Abramson, Max  
 Cahill, Michael  
 Christie, Andrew  
 Emerick, J. Tracy  
 Gordon, Pamela  
 Hoelzel, Kathleen  
 Matthews, Carolyn  
 Packard, Sherman  
 Simpson, Alexis  
 Ward, Gerald  
 Weyler, Kenneth

Berrien, Skip  
 Cali-Pitts, Jacqueline  
 Cushing, Robert  
 Ferrante, Beverly  
 Griffin, Mary  
 Introne, Robert  
 McBeath, Rebecca  
 Pantelakos, Laura  
 Sweeney, Joe  
 Ward, Joanne  
 Woitkun, Steven

Borden, David  
 Cardon, G. Thomas  
 DiFranco, Debbie  
 Francese, Paula  
 Guthrie, Joseph  
 Kolodziej, Walter  
 Milz, David  
 Peckham, Michele  
 Thomas, Douglas  
 Webb, James

### STRAFFORD

Baber, William  
 Cheney, Catherine  
 Hannon, Joseph  
 Schmidt, Peter  
 Sprague, Dale

Bickford, David  
 Cilley, Jacalyn  
 Horrigan, Timothy  
 Smith, Marjorie  
 Stevens, Audrey

Bixby, Peter  
 DiSesa, Len  
 Kaen, Naida  
 Southworth, Thomas  
 Treleven, Susan

Burton, Wayne  
 Gardner, Janice  
 Rollo, Deanna  
 Spang, Judith  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Irwin, Virginia

Converse, Larry  
 Rollins, Skip

Gagnon, Raymond  
 Smith, Steven

Gottling, Suzanne

### NAYS - 88

### BELKNAP

Gallagher, Brian

Howard, Jr., Raymond

LeBreche, Shari

Tilton, Franklin

### CARROLL

Avellani, Lino

Cordelli, Glenn

McCarthy, Frank

Nelson, Bill

### COOS

Richardson, Herbert

Rideout, Leon

### GRAFTON

Brown, Duane

Ingbretson, Paul

Johnson, Eric

### HILLSBOROUGH

Boehm, Ralph  
 Danielson, David  
 Gould, Linda  
 LeBrun, Donald  
 Moore, Josh  
 O'Brien, William  
 Rice, Kimberly  
 Sullivan, Victoria

Burt, John  
 Eastman, Eric  
 Hogan, Edith  
 Marston, Dick  
 Murotake, David  
 Palmer, Barry  
 Sanborn, Laurie  
 Sweeney, Shawn

Christie, Rick  
 Edelblut, Frank  
 Hopper, Gary  
 McCarthy, Peggy  
 Murphy, Keith  
 Pellegrino, Anthony  
 Seidel, Carl  
 Twombly, Timothy

Coffey, James  
 Gagne, Larry  
 Lachance, Joseph  
 McLean, Mark  
 Notter, Jeanine  
 Pierce, David  
 Simmons, Tammy  
 Ulery, Jordan

### MERRIMACK

Brewster, Michael  
 Kotowski, Frank

Hill, Gregory  
 Martin, John

Hoell, J.R.  
 McGuire, Carol

Horn, Werner  
 McGuire, Dan



**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bates, David	Cook, Allen
Dean-Bailey, Yvonne	Devine, James	Duarte, Joe	Gannon, William
Gordon, Richard	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	O'Connor, John
Oligny, Jeffrey	Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James
Sytek, John	Tilton, Rio	True, Chris	Tucker, Pamela

**STRAFFORD**

Graham, Robert	Gray, James	Groen, Warren	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Turcotte, Leonard	Wuelper, Kurt		

**SULLIVAN**

Laware, Thomas  
and the majority committee report was adopted.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Hopper moved that the House reconsider its action whereby, on a roll call vote of 160-152, the House adopted the majority committee report of Ought to Pass on **HB 1570-FN**, repealing the law governing access to reproductive health care facilities. Rep. Hopper spoke against.

On a division vote, with 120 members having voted in the affirmative, and 195 in the negative, the motion failed.

**REGULAR CALENDAR CONT'D**

**HB 1625-FN**, relative to banning abortion after viability. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This bill as amended prohibits abortions on babies after viability, except when necessary to save the life of the mother or to protect her from "serious risk of substantial and irreversible physical impairment of major bodily function." This language has been vetted through the US Supreme Court and has been in effect in other states for many years. Ever since *Roe v. Wade* was decided, states have been allowed to prohibit these late term abortions, and at least 17 other states already do. The majority believes that babies who can live outside the mother's womb should be given every opportunity to do so. This bill takes great care to protect the mother's well-being and, in case of criminal proceedings, her anonymity, while doing all we can to give babies the chance to live the lives of which they are capable. Vote 9-8.

Rep. David Woodbury for the Minority of Judiciary. This bill, as amended, seeks to limit and criminalize post-viability abortion, notwithstanding that such abortions are not performed in this state, at least presently. The main defects in this bill are that a second physician's opinion must be obtained if such an abortion is to be performed to protect the life or health of the mother. Such second physician may not be available or willing, with tragic results to mother or child. Secondly, there are onerous and intrusive records to be kept for no discernible reason. Rather than legislate the practice of medicine, it is better to leave the practice of medicine to those best able to do it.

**Majority Amendment (0869h)**

Amend RSA 132-B:1, X as inserted by section 2 of the bill by replacing it with the following:

X. "Unborn child" means the offspring of human beings in the womb.

Amend RSA 132-B:2, II(b) and (c) as inserted by section 2 of the bill by replacing it with the following:

(b) If the physician determines that the gestational age of the unborn child is 21 weeks or more, prior to performing or inducing an abortion upon the woman, the physician shall determine if the unborn child is viable by using and exercising that degree of care, skill, and proficiency commonly exercised by a skillful, careful, and prudent physician. In making this determination of viability, the physician shall perform or cause to be performed such medical examinations and tests as are necessary to make a finding of the gestational age, weight, and lung maturity of the unborn child and shall enter such findings and determination of viability in the medical record of the woman.

(c) If the physician determines that the gestational age of the unborn child is 21 weeks or more, and further determines that the unborn child is not viable and performs or induces an abortion upon the woman, the physician shall report such findings and determinations and the reasons for such determinations to the health care facility in which the abortion is performed and to the board of medicine, and shall enter such findings and determinations in the medical records of the woman and in the individual abortion report submitted to the department under paragraph III.

Amend RSA 132-B:2, II(f) and (g) as inserted by section 2 of the bill by replacing it with the following:

(f) Before a physician proceeds with performing or inducing an abortion upon a woman when it has been determined that the unborn child is viable, the physician who is to perform the abortion shall obtain the agreement of a second physician with knowledge of accepted obstetrical and neonatal practices and standards who shall concur that the abortion is necessary per RSA 132-B:2, II(e). This second physician shall also report such reasons and determinations to the health care facility in which the abortion is to be performed and to the board of medicine, and shall enter such findings and determinations in the medical record of the woman and the individual abortion report submitted to the department. The second physician shall not have any legal or financial affiliation or relationship with the physician performing or inducing the abortion, except that such prohibition shall not apply to physicians whose legal or financial affiliation or relationship is a result of being employed by or having staff privileges at the same hospital, physician network, or hospital network.

(g) Any physician who performs or induces a termination of pregnancy upon a woman when it has been determined that the unborn child is viable shall utilize the available method or technique of the termination of the pregnancy most likely to preserve the life or health of the unborn child. In cases where the method or technique of the termination of the pregnancy most likely to preserve the life or health of the unborn child would present a greater risk to the life or health of the woman than another legally permitted and available method or technique, the physician may utilize such other method or technique. In all cases where the physician performs an abortion upon a viable unborn child, the physician shall document the method or technique employed.

Amend RSA 132-B:2, III by deleting subparagraph (d) and renumbering the original subparagraph (e) to read as (d).

Amend RSA 132-B:4 as inserted by section 2 of the bill by replacing it with the following:

132-B:4 Penalty. Any person who intentionally or recklessly performs or attempts to perform an abortion in violation of RSA 132-B:2 of this chapter shall be guilty of a class A misdemeanor. No penalty shall be assessed against the woman upon whom the abortion is performed or attempted to be performed. The anonymity of any woman upon whom an abortion has been performed shall be preserved from public disclosure unless she consents.

Amend section 2 of the bill by deleting RSA 132-B:5 and RSA 132-B:6.

On a division vote, with 156 members having voted in the affirmative, and 155 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Marjorie Smith spoke against.

Rep. Wuelper spoke in favor and yielded to questions.

Rep. White requested a roll call; sufficiently seconded.

**YEAS 148 NAYS 151**

**YEAS - 148**

**BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Tilton, Franklin

Flanders, Donald  
LeBreche, Shari

Fraser, Valerie  
Russell, David

**CARROLL**

Avellani, Lino  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Brown, Duane  
Ingbretson, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christie, Rick  
Edelblut, Frank  
Gould, Linda  
Hogan, Edith  
Lachance, Joseph  
Moore, Josh  
O'Brien, William  
Pierce, David  
Sanborn, Laurie  
Twombly, Timothy

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Ferreira, Elizabeth  
Griffin, Barbara  
Hopper, Gary  
LeBrun, Donald  
Murotake, David  
Ohm, Bill  
Rice, Kimberly  
Seidel, Carl  
Ulery, Jordan

Balcom, John  
Burt, John  
Danielson, David  
Fromuth, Bart  
Haefner, Robert  
Infantine, William  
Marston, Dick  
Murphy, Keith  
Palmer, Barry  
Rouillard, Claire  
Simmons, Tammy  
Zaricki, Nick

Belanger, James  
Byron, Frank  
Eastman, Eric  
Gagne, Larry  
Hinch, Richard  
Judy, Jean  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Rowe, Robert  
Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
McGuire, Dan

French, Harold  
Kotowski, Frank  
Seaworth, Brian

Hill, Gregory  
Kuch, Bill  
Walsh, Thomas

Hoell, J.R.  
McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Cook, Allen  
Elliott, Robert  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Matthews, Carolyn  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Tucker, Pamela

Abramson, Max  
Bates, David  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Nigrello, Robert  
Packard, Sherman  
Rice, Frederick  
Thomas, Douglas  
Ward, Joanne

Allen, Mary  
Bush, Carol  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
O'Connor, John  
Peckham, Michele  
Spillane, James  
Tilton, Rio  
Welch, David

Baldasaro, Alfred  
Chase, Francis  
Duarte, Joe  
Friel, William  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
Oigny, Jeffrey  
Potucek, John  
Sweeney, Joe  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

Bickford, David  
Groen, Warren  
Leeman, Don

Cheney, Catherine  
Jones, Laura  
Mullen, John

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Gray, James  
Knowles, Robert  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

Smith, Steven

**NAYS - 151  
BELKNAP**

Fisher, Robert

Vadney, Herbert

**CARROLL**

Buco, Thomas

Ticehurst, Susan

Umberger, Karen

Wright, Ted

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Sterling, Franklin

Berch, Paul  
Hunt, John  
McConnell, James  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sad, Tara  
Tilton, Benjamin

**COOS**

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Rappaport, Laurence

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
White, Andrew

Brown, Rebecca  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Cohen, Alan  
Edwards, Elizabeth  
Goley, Jeffrey  
Heath, Mary  
Long, Patrick  
Peterson, Ken  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Beaulieu, Jane  
Cornell, Patricia  
Forest, Armand  
Gorman, Mary  
Jack, Martin  
Mangipudi, Latha  
Porter, Marjorie  
Schleien, Eric  
Snow, Kendall  
Vann, Ivy

Brown, Pamela  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Kurk, Neal  
Manley, Jonathan  
Proulx, Mark  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Christensen, Chris  
Donovan, Daniel  
Gidge, Kenneth  
Harvey, Suzanne  
Leishman, Peter  
O'Neil, William  
Roberts, Carol  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Kenison, Linda  
Martin, John  
Rogers, Katherine  
Turcotte, Alan

Bartlett, Christy  
Ebel, Karen  
Long, Douglas  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
Frazer, June  
Luneau, David  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Deloge, Helen  
Henle, Paul  
Mackay, James  
Rice, Chip  
Shurtleff, Stephen

**ROCKINGHAM**

Berrien, Skip  
Cardon, G. Thomas  
Francese, Paula  
McBeath, Rebecca  
Vose, Michael

Borden, David  
Christie, Andrew  
Gordon, Pamela  
Milz, David  
Ward, Gerald

Cahill, Michael  
Cushing, Robert  
Heffron, Frank  
Pantelakos, Laura  
Woitkun, Steven

Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Lovejoy, Patricia  
Simpson, Alexis

**STRAFFORD**

Baber, William  
Gardner, Janice  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Hannon, Joseph  
Schmidt, Peter  
Sprague, Dale

Cilley, Jacalyn  
Horriggan, Timothy  
Smith, Marjorie  
Stevens, Audrey

DiSesa, Len  
Kaen, Naida  
Southworth, Thomas  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Rollins, Skip

Converse, Larry

Gottling, Suzanne

Irwin, Virginia

and the majority committee report failed.

Rep. Eaton moved the minority committee report of Inexpedient to Legislate.

On a division vote, with 165 members having voted in the affirmative, and 135 in the negative, the minority committee report was adopted...

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Eaton moved that the House reconsider it action whereby, on a division vote of 165-135, the House adopted the minority committee report of Inexpedient to Legislate on **HB 1625-FN**, relative to banning abortion after viability.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 134 NAYS 167****YEAS - 134****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond  
Tilton, Franklin

Flanders, Donald  
LeBreche, Shari

Fraser, Valerie  
Russell, David

Gallagher, Brian  
Spanos, Peter

**CARROLL**

Avellani, Lino  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McCarthy, Frank

**COOS**

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Brown, Duane  
Johnson, Eric

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christie, Rick  
Edelblut, Frank  
Fromuth, Bart  
Hinch, Richard  
Jeudy, Jean  
Moore, Josh  
O'Brien, William  
Pierce, David  
Sanborn, Laurie  
Twombly, Timothy

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Edwards, Elizabeth  
Gagne, Larry  
Hogan, Edith  
Lachance, Joseph  
Murotake, David  
Ohm, Bill  
Rice, Kimberly  
Seidel, Carl  
Ulery, Jordan

Balcom, John  
Burt, John  
Danielson, David  
Ferreira, Elizabeth  
Gould, Linda  
Hopper, Gary  
LeBrun, Donald  
Murphy, Keith  
Palmer, Barry  
Rouillard, Claire  
Simmons, Tammy

Belanger, James  
Byron, Frank  
Eastman, Eric  
Flanagan, Jack  
Griffin, Barbara  
Infantine, William  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Rowe, Robert  
Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
McGuire, Dan

French, Harold  
Kuch, Bill  
Seaworth, Brian

Hill, Gregory  
Martin, John  
Walsh, Thomas

Hoell, J.R.  
McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Bush, Carol  
Devine, James  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Nigrello, Robert  
Packard, Sherman  
Spillane, James  
Tucker, Pamela

Abramson, Max  
Chase, Francis  
Duarte, Joe  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
O'Connor, John  
Potucek, John  
Sytek, John  
Ward, Joanne

Baldasaro, Alfred  
Cook, Allen  
Elliott, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Oigny, Jeffrey  
Prudhomme-O'Brien, Katherine  
Tilton, Rio  
Welch, David

Bates, David  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
Osborne, Jason  
Rice, Frederick  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

Cheney, Catherine  
Jones, Laura  
Mullen, John

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Gray, James  
Knowles, Robert  
Wuelper, Kurt

Groen, Warren  
Leeman, Don

**SULLIVAN**

Laware, Thomas

Smith, Steven

**NAYS - 167  
BELKNAP**

Fields, Dennis	Fisher, Robert	Vadney, Herbert
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**CARROLL**

Buco, Thomas	Parker, Harold	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

**COOS**

Fothergill, John	Frobург, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Thomas, Yvonne		

**GRAFTON**

Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Brown, Pamela	Christensen, Chris
Cohen, Alan	Cornell, Patricia	Cote, David	Donovan, Daniel
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Haefner, Robert	Harvey, Suzanne
Heath, Mary	Jack, Martin	Kurk, Neal	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
O'Neil, William	Peterson, Ken	Porter, Marjorie	Proulx, Mark
Roberts, Carol	Rosenwald, Cindy	Schleien, Eric	Shaw, Barbara
Smith, Gregory	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Wolf, Terry	Zaricki, Nick	

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	Henle, Paul
Kenison, Linda	Kotowski, Frank	Long, Douglas	Luneau, David
MacKay, James	Myler, Mel	Ratzki, Mario	Rice, Chip
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

**ROCKINGHAM**

Allen, Mary	Barnes, Arthur	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Christie, Andrew
Cushing, Robert	DiFranco, Debbie	Ferrante, Beverly	Francese, Paula
Friel, William	Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia
Matthews, Carolyn	McBeath, Rebecca	Milz, David	Pantelakos, Laura
Peckham, Michele	Simpson, Alexis	Sweeney, Joe	Thomas, Douglas
Vose, Michael	Ward, Gerald	Woitkun, Steven	

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Bixby, Peter  
Gardner, Janice  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Hannon, Joseph  
Schmidt, Peter  
Sprague, Dale

**SULLIVAN**

Cloutier, John  
Rollins, Skip  
and the motion failed.

Converse, Larry

Gottling, Suzanne

Irwin, Virginia

**REGULAR CALENDAR CONT'D**

**HB 1636-FN**, prohibiting abortions once an unborn child can feel pain. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass:** This bill prohibits abortions after the child can feel pain. Per the US Supreme Court, states may regulate procedures when the medical community is in doubt as they are regarding when the pre-born can feel pain. Given the possibility that babies could suffer severe pain at this stage of life we believe the state should err on the side of protecting them from it. Knowing that anesthesia is common in surgery performed on babies in the womb, we believe that those babies who might experience pain even more than born people should be protected from abortion. Since medical research has indicated that babies may feel pain as early as 20 weeks of age, this bill prohibits abortions after that age. Despite the fact similar laws in the Ninth Circuit have been ruled unconstitutional, we believe that the US Supreme Court might accept a new standard, such as this one, for when states can prohibit abortion if a federal appeals court should do so.

Rep. Kurt Wuelper

**Statement in support of Inexpedient to Legislate:** This bill seeks to ban abortions at or after 20 weeks except in the case of a medical emergency. It seeks to justify this restriction based upon a claim that a fetus can feel pain at that point in time, a belief disputed by many in the medical profession. The committee heard testimony that this bill is identical in all-important respects to similar laws that have been held to be unconstitutional, including a decision by the United States Supreme Court on January 13, 2014 not to lift a block imposed by the Ninth Circuit of a similar law. Not only did the Supreme Court refuse to allow this kind of statute to be enforced, it also refused to reconsider *Roe v. Wade* and similar decisions post-*Wade* requiring "viability" and not gestational age to be the only critical factor in determining constitutionality of this kind of legislation. Other federal and state courts have similarly struck down 20-week bans. Testimony was also received that this bill's reporting requirements impermissibly invade the privacy rights of women; that the health exception as drafted has constitutional issues; and that women faced with the serious and often dangerous complications of late term problems need the best health care possible from their medical providers.

Rep. Paul Berch

Rep. Wuelper moved Ought to Pass.

Rep. Berch spoke against.

Rep. Groen spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

**YEAS 122 NAYS 160**

**YEAS - 122****BELKNAP**

Aldrich, Glen  
Gallagher, Brian

Fields, Dennis  
LeBreche, Shari

Flanders, Donald  
Spanos, Peter

Fraser, Valerie  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Brown, Duane  
Johnson, Eric

Gionet, Edmond

Hull, Robert

Ingretson, Paul

**HILLSBOROUGH**Adams, Christopher  
Boehm, Ralph  
Eastman, Eric  
Gagne, Larry  
Hogan, Edith  
LeBrun, Donald  
Murotake, David  
Ohm, Bill  
Simmons, TammyAmmon, Keith  
Burt, John  
Edelblut, Frank  
Gould, Linda  
Hopper, Gary  
Marston, Dick  
Murphy, Keith  
Pellegrino, Anthony  
Sullivan, VictoriaBelanger, James  
Christie, Rick  
Ferreira, Elizabeth  
Griffin, Barbara  
Infantine, William  
McLean, Mark  
Notter, Jeanine  
Pierce, David  
Twombly, TimothyBiggie, Barbara  
Donovan, Daniel  
Fromuth, Bart  
Hinch, Richard  
Lachance, Joseph  
Moore, Josh  
O'Brien, William  
Seidel, Carl  
Ulery, Jordan**MERRIMACK**Brewster, Michael  
Horn, Werner  
Seaworth, BrianFrench, Harold  
Kotowski, Frank  
Walsh, ThomasHill, Gregory  
McGuire, CarolHoell, J.R.  
McGuire, Dan**ROCKINGHAM**Abrami, Patrick  
Bates, David  
Devine, James  
Ferrante, Beverly  
Harris, Jeffrey  
Itse, Daniel  
O'Connor, John  
Peckham, Michele  
Spillane, James  
Tucker, PamelaAbramson, Max  
Bush, Carol  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Oigny, Jeffrey  
Potucek, John  
Sytek, John  
Ward, JoanneAllen, Mary  
Chase, Francis  
Elliott, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Welch, DavidBaldasaro, Alfred  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
Packard, Sherman  
Rice, Frederick  
True, Chris  
Weyler, Kenneth**STRAFFORD**Cheney, Catherine  
Jones, Laura  
Mullen, JohnGraham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, LeonardGray, James  
Knowles, Robert  
Wuelper, KurtGroen, Warren  
Leeman, Don**SULLIVAN**

Laware, Thomas

Smith, Steven

**NAYS - 160****BELKNAP**

Russell, David

Vadney, Herbert

**CARROLL**Bucio, Thomas  
Wright, Ted

McConkey, Mark

Ticehurst, Susan

Umberger, Karen

**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Sterling, FranklinAmes, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Tatro, BruceBerch, Paul  
Hunt, John  
McConnell, James  
Sad, Tara  
Tilton, BenjaminBordenet, John  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie  
Weber, Lucy



**COOS**

Fothergill, John  
Tholl, John

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
White, Andrew

Brown, Rebecca  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Byron, Frank  
Cote, David  
Goley, Jeffrey  
Harvey, Suzanne  
Kurk, Neal  
Manley, Jonathan  
Roberts, Carol  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Balcom, John  
Christensen, Chris  
Edwards, Elizabeth  
Gorman, Mary  
Heath, Mary  
Leishman, Peter  
Peterson, Ken  
Rosenwald, Cindy  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Cohen, Alan  
Forest, Armand  
Guerette, C. Lee  
Jack, Martin  
Long, Patrick  
Porter, Marjorie  
Rouillard, Claire  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Brown, Pamela  
Cornell, Patricia  
Freitas, Mary  
Haefner, Robert  
Judy, Jean  
Mangipudi, Latha  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Kenison, Linda  
MacKay, James  
Rice, Chip  
Shurtliff, Stephen

Bartlett, Christy  
Ebel, Karen  
Kuch, Bill  
Martin, John  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Frazer, June  
Long, Douglas  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Deloge, Helen  
Henle, Paul  
Luneau, David  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

**ROCKINGHAM**

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Heffron, Frank  
Nigrello, Robert  
Tilton, Rio

Berrien, Skip  
Cardon, G. Thomas  
Francese, Paula  
Lovejoy, Patricia  
Pantelakos, Laura  
Vose, Michael

Borden, David  
Christie, Andrew  
Friel, William  
McBeath, Rebecca  
Simpson, Alexis  
Ward, Gerald

Cahill, Michael  
Cushing, Robert  
Gordon, Pamela  
Milz, David  
Sweeney, Joe  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Spang, Judith  
Wall, Janet

Bickford, David  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Gardner, Janice  
Smith, Marjorie  
Stevens, Audrey

Burton, Wayne  
Horrigan, Timothy  
Southworth, Thomas  
Treleaven, Susan

**SULLIVAN**

Cloutier, John  
Rollins, Skip  
and the motion failed.

Converse, Larry

Gottling, Suzanne

Irwin, Virginia

Rep. Eaton moved Inexpedient to Legislate.  
Motion adopted.

**HB 1660-FN-L**, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Rowe for Judiciary. This bill will bring land being taken by eminent domain for a pipeline in line with land taken by eminent domain for transmission lines by a public utility (RSA 371:5-a) by

allowing an owner of land to require a pipeline company to take an entire parcel of land under eminent domain. It also requires the consent of a legislative body in the affirmative vote at a special meeting to take land belonging to a municipality, the state or any political subdivision. Additionally this bill requires that entities taking land under eminent domain will pay the Land Use Change Tax (LUCT). Under current law, land taken under eminent domain is exempt from paying the LUCT (RSA 79-A:7, VI). Vote 16-4.

### **Amendment (0677h)**

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Eminent Domain; Residential Owner Option. Amend RSA 371:15 by inserting after paragraph VI the following new paragraph:

VII. When private real property which is used for residential purposes is proposed to be acquired in part, temporarily or permanently, for the construction of a high pressure gas pipeline or appurtenance thereto, the owners of the residential property shall have the option to require the pipeline company to condemn and take in fee the entire tract of land impacted by the proposed partial taking including all buildings and improvements thereon if all owners, excluding lienholders and mortgagees, of the private real property make such an election and provide the commission and the pipeline company with written notice of their election within 30 days after receipt of the notice under paragraph II. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Backus spoke against and yielded to questions.

Rep. Flanagan spoke in favor and yielded to questions.

Rep. Abramson requested a roll call; sufficiently seconded.

## **YEAS 235 NAYS 47**

### **YEAS - 235**

#### **BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
LeBreche, Shari  
Tilton, Franklin

Flanders, Donald  
Russell, David  
Vadney, Herbert

Fraser, Valerie  
Spanos, Peter

#### **CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Schmidt, Stephen

Buco, Thomas  
McCarthy, Frank  
Ticehurst, Susan

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

#### **CHESHIRE**

Abbott, Michael  
Hunt, John  
Phillips, Larry  
Sterling, Franklin

Ames, Richard  
Ley, Douglas  
Roberts, Kris  
Tilton, Benjamin

Bordenet, John  
McConnell, James  
Robertson, Timothy

Eaton, Daniel  
Pearson, William  
Shepardson, Marjorie

#### **COOS**

Fothergill, John  
Rappaport, Laurence

Froburg, Alethea  
Richardson, Herbert

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Tholl, John

#### **GRAFTON**

Abel, Richard  
Cooney, Mary  
Hennessey, Erin  
Ingretson, Paul

Almy, Susan  
Darrow, Stephen  
Hennessey, Martha  
Johnson, Eric

Brown, Duane  
Ford, Susan  
Higgins, Patricia  
Ladd, Rick

Brown, Rebecca  
Gionet, Edmond  
Hull, Robert  
White, Andrew

#### **HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Burt, John  
Coffey, James

Ammon, Keith  
Biggie, Barbara  
Byron, Frank  
Cohen, Alan

Balcom, John  
Boehm, Ralph  
Christensen, Chris  
Cornell, Patricia

Beaulieu, Jane  
Brown, Pamela  
Christie, Rick  
Danielson, David

Donovan, Daniel  
 Ferreira, Elizabeth  
 Griffin, Barbara  
 Hopper, Gary  
 Lachance, Joseph  
 Marston, Dick  
 Murphy, Keith  
 Pellegrino, Anthony  
 Proulx, Mark  
 Rowe, Robert  
 Smith, Gregory  
 Twombly, Timothy  
 Wolf, Terry

Eastman, Eric  
 Flanagan, Jack  
 Haefner, Robert  
 Jack, Martin  
 LeBrun, Donald  
 McLean, Mark  
 Notter, Jeanine  
 Peterson, Ken  
 Rice, Kimberly  
 Seidel, Carl  
 Snow, Kendall  
 Ulery, Jordan

Edelblut, Frank  
 Gagne, Larry  
 Hinch, Richard  
 Jeudy, Jean  
 Leishman, Peter  
 Moore, Josh  
 O'Brien, William  
 Pierce, David  
 Roberts, Carol  
 Shaw, Barbara  
 Sullivan, Victoria  
 Vann, Ivy

Edwards, Elizabeth  
 Gould, Linda  
 Hogan, Edith  
 Kurk, Neal  
 Manley, Jonathan  
 Murotake, David  
 Ohm, Bill  
 Porter, Marjorie  
 Rouillard, Claire  
 Simmons, Tammy  
 Takesian, Charlene  
 Williams, Kermit

### MERRIMACK

Brewster, Michael  
 Hill, Gregory  
 Kuch, Bill  
 McGuire, Dan  
 Seaworth, Brian  
 Walsh, Thomas

Ebel, Karen  
 Hoell, J.R.  
 Long, Douglas  
 Myler, Mel  
 Shurtleff, Stephen  
 Wheeler, Deborah

French, Harold  
 Horn, Werner  
 Martin, John  
 Ratzki, Mario  
 Turcotte, Alan

Henle, Paul  
 Kotowski, Frank  
 McGuire, Carol  
 Saunderson, George  
 Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
 Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Cushing, Robert  
 Duarte, Joe  
 Gannon, William  
 Harris, Jeffrey  
 Introne, Robert  
 Matthews, Carolyn  
 Oigny, Jeffrey  
 Peckham, Michele  
 Simpson, Alexis  
 Thomas, Douglas  
 Vose, Michael  
 Weyler, Kenneth

Abramson, Max  
 Bates, David  
 Cardon, G. Thomas  
 Dean-Bailey, Yvonne  
 Emerick, J. Tracy  
 Gordon, Pamela  
 Heffron, Frank  
 Itse, Daniel  
 Milz, David  
 Osborne, Jason  
 Potucek, John  
 Spillane, James  
 Tilton, Rio  
 Ward, Gerald  
 Woitkun, Steven

Allen, Mary  
 Berrien, Skip  
 Chase, Francis  
 Devine, James  
 Ferrante, Beverly  
 Gordon, Richard  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Nigrello, Robert  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sweeney, Joe  
 True, Chris  
 Ward, Joanne

Baldasaro, Alfred  
 Bush, Carol  
 Christie, Andrew  
 DiFranco, Debbie  
 Francese, Paula  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 O'Connor, John  
 Pantelakos, Laura  
 Rice, Frederick  
 Sytek, John  
 Tucker, Pamela  
 Welch, David

### STRAFFORD

Baber, William  
 Cheney, Catherine  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Smith, Marjorie  
 Treleven, Susan

Bickford, David  
 Cilley, Jacalyn  
 Groen, Warren  
 Knowles, Robert  
 Southworth, Thomas  
 Turcotte, Leonard

Bixby, Peter  
 DiSesa, Len  
 Horrigan, Timothy  
 Leeman, Don  
 Spang, Judith  
 Wall, Janet

Burton, Wayne  
 Graham, Robert  
 Jones, Laura  
 Mullen, John  
 Stevens, Audrey  
 Wuelper, Kurt

### SULLIVAN

Cloutier, John  
 Smith, Steven

Irwin, Virginia

Laware, Thomas

Rollins, Skip

### NAYS - 47

### BELKNAP

Howard, Jr., Raymond

### CHESHIRE

Berch, Paul

Johnsen, Gladys

Mann, John

Tatro, Bruce

**COOS**

Fothergill, John  
Tholl, John

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Higgins, Patricia  
Sykes, George

Almy, Susan  
Gionet, Edmond  
Maes, Kevin  
Townsend, Charles

Brown, Rebecca  
Hennessey, Erin  
Massimilla, Linda  
White, Andrew

Cooney, Mary  
Hennessey, Martha  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Byron, Frank  
Cote, David  
Gidge, Kenneth  
Harvey, Suzanne  
Kurk, Neal  
Manley, Jonathan  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Beaulieu, Jane  
Christensen, Chris  
Edwards, Elizabeth  
Goley, Jeffrey  
Heath, Mary  
Leishman, Peter  
Peterson, Ken  
Rouillard, Claire  
Snow, Kendall  
Vann, Ivy

Belanger, James  
Cohen, Alan  
Forest, Armand  
Gorman, Mary  
Jack, Martin  
Long, Patrick  
Porter, Marjorie  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Brown, Pamela  
Cornell, Patricia  
Freitas, Mary  
Guerette, C. Lee  
Judy, Jean  
Mangipudi, Latha  
Roberts, Carol  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Ebel, Karen  
Kuch, Bill  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Frazer, June  
Long, Douglas  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Deloge, Helen  
Henle, Paul  
Luneau, David  
Rice, Chip  
Seaworth, Brian

Doherty, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Shurtleff, Stephen

**ROCKINGHAM**

Berrien, Skip  
Cardon, G. Thomas  
DiFranco, Debbie  
Gordon, Pamela  
McBeath, Rebecca  
Prudhomme-O'Brien, Katherine  
Vose, Michael

Borden, David  
Chase, Francis  
Elliott, Robert  
Heffron, Frank  
Nigrello, Robert  
Simpson, Alexis  
Ward, Gerald

Cahill, Michael  
Christie, Andrew  
Ferrante, Beverly  
Introne, Robert  
Oigny, Jeffrey  
Sweeney, Joe

Cali-Pitts, Jacqueline  
Cushing, Robert  
Francese, Paula  
Lovejoy, Patricia  
Pantelakos, Laura  
Tilton, Rio

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
DiSesa, Len  
Smith, Marjorie  
Stevens, Audrey

Bixby, Peter  
Horriggan, Timothy  
Southworth, Thomas  
Treleaven, Susan

Burton, Wayne  
Kaen, Naida  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John

Converse, Larry

Gottling, Suzanne

Irwin, Virginia

**NAYS - 122****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond

Flanders, Donald  
LeBreche, Shari

Fraser, Valerie  
Spanos, Peter

Gallagher, Brian  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

**CHESHIRE**

McConnell, James

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Brown, Duane

Darrow, Stephen

Hull, Robert

Johnson, Eric

Ladd, Rick

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher

Biggie, Barbara

Boehm, Ralph

Burt, John

Christie, Rick

Coffey, James

Danielson, David

Donovan, Daniel

Eastman, Eric

Edelblut, Frank

Ferreira, Elizabeth

Gagne, Larry

Gould, Linda

Griffin, Barbara

Haefner, Robert

Hinch, Richard

Hogan, Edith

Hopper, Gary

Lachance, Joseph

LeBrun, Donald

Marston, Dick

McLean, Mark

Moore, Josh

Murotake, David

Murphy, Keith

Notter, Jeanine

O'Brien, William

Ohm, Bill

Pellegrino, Anthony

Pierce, David

Rice, Kimberly

Rowe, Robert

Seidel, Carl

Simmons, Tammy

Sullivan, Victoria

Twombly, Timothy

Ulery, Jordan

**MERRIMACK**

Brewster, Michael

French, Harold

Hill, Gregory

Hoell, J.R.

Horn, Werner

Kotowski, Frank

Martin, John

McGuire, Carol

McGuire, Dan

Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick

Abramson, Max

Allen, Mary

Baldasaro, Alfred

Barnes, Arthur

Bates, David

Bush, Carol

Dean-Bailey, Yvonne

Duarte, Joe

Emerick, J. Tracy

Gannon, William

Gordon, Richard

Green, Dennis

Griffin, Mary

Harris, Jeffrey

Hodgdon, Bruce

Hoelzel, Kathleen

Itse, Daniel

Kappler, Lawrence

Kolodziej, Walter

Matthews, Carolyn

Milz, David

O'Connor, John

Packard, Sherman

Peckham, Michele

Potucek, John

Rice, Frederick

Spillane, James

Sytek, John

Thomas, Douglas

True, Chris

Tucker, Pamela

Ward, Joanne

Welch, David

Weyler, Kenneth

**STRAFFORD**

Cheney, Catherine

Graham, Robert

Gray, James

Groen, Warren

Jones, Laura

Kaczynski, Jr., Thomas

Knowles, Robert

Leeman, Don

Mullen, John

Turcotte, Leonard

Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report was adopted.

**HB 1684-FN**, prohibiting the use of public funds, employees, and facilities in assisting or performing abortions. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass with Amendment:** This bill prohibits the use of public funds, employees, and facilities in the assisting or performing of abortions. While the right to an abortion is guaranteed following the 1973 Roe v Wade case, the current public disagreement on the matter has led to the barring of federal and, in many cases, state funds to pay for abortion. These restrictions on funding have been held up as constitutional for almost 40 years. New Hampshire, like 32 other states, follows the federal standard established by the current version of the Hyde Amendment and bans the use of Medicaid funds to pay for abortions except in limited cases. This bill expands the funding ban from Medicaid to all public funds and it eliminates the involvement of state employees and facilities in

abortion except in the case of preserving the life of the mother. Abortions are currently performed in over a dozen facilities throughout the state, all of which are private hospitals or clinics. As a result of this fact, a large portion of the committee felt that this bill would not limit a woman's access to abortion, but that it would insulate taxpayers who object to having to fund a procedure they do not condone.

Rep. Mark McLean

**Statement in support of Inexpedient to Legislate:** This bill would restrict the use of public funds for abortion when in fact the use of public funds for abortion is already limited to very rare and narrow circumstances. It also would disqualify New Hampshire from receiving nearly \$750,000 per year in federal family planning funds and funds for preventive care like cancer screenings, access to birth control and annual well-woman exams. This bill would result in the defunding of family planning providers such as community health centers who provide critical and important care that actually reduces unintended pregnancy and the need for abortion. It also would prevent public employees from fulfilling their responsibilities when working with teens in foster care or female inmates, all who may need information about pregnancy options and providing such information or support would be outlawed under this bill.

Rep. Charlene Takesian

Rep. McLean moved Ought to Pass and offered floor amendment (0874h).

### Floor Amendment (0874h)

Amend RSA 132:43 as inserted by section 1 of the bill by replacing it with the following:

132:43 Public Employees; Certain Activities Prohibited. It shall be unlawful for any public employee within the scope of his or her employment to perform an abortion not necessary to save the life of the mother. It shall be unlawful for a doctor, nurse, or other health care personnel, a social worker, a counselor, or a person of similar occupation who is a public employee within the scope of his or her public employment to encourage or counsel a woman to have an abortion not necessary to save her life.

### AMENDED ANALYSIS

This bill prohibits the use of public funds and public facilities for the purpose of performing or assisting in an abortion which is not necessary to save the life of the mother. The bill also prohibits the use of public employees for the purpose of performing an abortion which is not necessary to save the life of the mother.

The bill also prohibits such funds, employees, and facilities to be used to encourage or counsel a woman to have an abortion not necessary to save her life.

The bill further requires a second opinion from a licensed physician before any abortion is performed when a mother's life is deemed to be in danger.

The bill includes penalty provisions for violations of this law.

Rep. McLean spoke in favor.

On a division vote, with 134 members having voted in the affirmative, and 139 in the negative, floor amendment (0874h) failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Takesian spoke against.

Rep. McLean spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

**YEAS 131 NAYS 146**

### YEAS - 131

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Tilton, Franklin

Fields, Dennis  
LeBreche, Shari

Fraser, Valerie  
Spanos, Peter

Gallagher, Brian  
Sylvia, Michael

#### CARROLL

Avellani, Lino  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McCarthy, Frank

**COOS**Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Brown, Duane  
Ingbretson, PaulDarrow, Stephen  
Johnson, Eric

Gionet, Edmond

Hull, Robert

**HILLSBOROUGH**Adams, Christopher  
Burt, John  
Danielson, David  
Ferreira, Elizabeth  
Haefner, Robert  
Judy, Jean  
Moore, Josh  
Ohm, Bill  
Rouillard, Claire  
Twombly, TimothyBalcom, John  
Byron, Frank  
Donovan, Daniel  
Gagne, Larry  
Hinch, Richard  
Lachance, Joseph  
Murotake, David  
Pellegrino, Anthony  
Seidel, Carl  
Ulery, JordanBiggie, Barbara  
Christie, Rick  
Eastman, Eric  
Gould, Linda  
Hogan, Edith  
Marston, Dick  
Murphy, Keith  
Pierce, David  
Simmons, Tammy  
Wolf, TerryBoehm, Ralph  
Coffey, James  
Edelblut, Frank  
Griffin, Barbara  
Hopper, Gary  
McLean, Mark  
Notter, Jeanine  
Rice, Kimberly  
Sullivan, Victoria**MERRIMACK**Brewster, Michael  
Horn, Werner  
McGuire, DanFrench, Harold  
Kuch, Bill  
Seaworth, BrianHill, Gregory  
Martin, John  
Walsh, ThomasHoell, J.R.  
McGuire, Carol**ROCKINGHAM**Abrami, Patrick  
Barnes, Arthur  
Dean-Bailey, Yvonne  
Gannon, William  
Harris, Jeffrey  
Kappler, Lawrence  
Oigny, Jeffrey  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Vose, MichaelAbramson, Max  
Bates, David  
Devine, James  
Gordon, Richard  
Hodgdon, Bruce  
Kolodziej, Walter  
Packard, Sherman  
Rice, Frederick  
Tilton, Rio  
Ward, JoanneAllen, Mary  
Bush, Carol  
Duarte, Joe  
Green, Dennis  
Hoelzel, Kathleen  
Matthews, Carolyn  
Peckham, Michele  
Spillane, James  
True, Chris  
Welch, DavidBaldasaro, Alfred  
Chase, Francis  
Emerick, J. Tracy  
Griffin, Mary  
Itse, Daniel  
O'Connor, John  
Potucek, John  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth**STRAFFORD**Cheney, Catherine  
Jones, Laura  
Mullen, JohnGraham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, LeonardGray, James  
Knowles, Robert  
Wuelper, KurtGroen, Warren  
Leeman, Don**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 146****BELKNAP**

Flanders, Donald

Russell, David

Vadney, Herbert

**CARROLL**Bucio, Thomas  
Wright, Ted

Chandler, Gene

Ticehurst, Susan

Umberger, Karen

**CHESHIRE**Abbott, Michael  
Eaton, Daniel  
Mann, John  
Roberts, Kris  
Tatro, BruceAmes, Richard  
Hunt, John  
McConnell, James  
Robertson, Timothy  
Weber, LucyBerch, Paul  
Johnsen, Gladys  
Pearson, William  
Shepardson, MarjorieBordenet, John  
Ley, Douglas  
Phillips, Larry  
Sterling, Franklin

**COOS**

Forburg, Alethea

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Ladd, Rick  
Sykes, George

Almy, Susan  
Hennessey, Erin  
Maes, Kevin  
Townsend, Charles

Brown, Rebecca  
Hennessey, Martha  
Massimilla, Linda  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Christensen, Chris  
Forest, Armand  
Gorman, Mary  
Kurk, Neal  
Mangipudi, Latha  
Proulx, Mark  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Beaulieu, Jane  
Cohen, Alan  
Freitas, Mary  
Harvey, Suzanne  
LeBrun, Donald  
Manley, Jonathan  
Roberts, Carol  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

Belanger, James  
Cornell, Patricia  
Gidge, Kenneth  
Heath, Mary  
Leishman, Peter  
Peterson, Ken  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene

Brown, Pamela  
Cote, David  
Goley, Jeffrey  
Jack, Martin  
Long, Patrick  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Ebel, Karen  
Kotowski, Frank  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

Bartlett, Christy  
Frazer, June  
Long, Douglas  
Ratzki, Mario  
Schuett, Dianne

Deloge, Helen  
Henle, Paul  
Luneau, David  
Rice, Chip  
Shurtleff, Stephen

Doherty, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip  
Cardon, G. Thomas  
Elliott, Robert  
Heffron, Frank  
Milz, David  
Sweeney, Joe

Borden, David  
Christie, Andrew  
Ferrante, Beverly  
Introne, Robert  
Nigrello, Robert  
Ward, Gerald

Cahill, Michael  
Cushing, Robert  
Francese, Paula  
Lovejoy, Patricia  
Pantelakos, Laura

Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Gordon, Pamela  
McBeath, Rebecca  
Simpson, Alexis

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
DiSesa, Len  
Smith, Marjorie  
Stevens, Audrey

Bixby, Peter  
Horriggan, Timothy  
Southworth, Thomas  
Treleven, Susan

Burton, Wayne  
Kaen, Naida  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John

Converse, Larry

Gottling, Suzanne

Irwin, Virginia

and the motion failed.

Rep. Rosenwald moved Inexpedient to Legislate.

Motion adopted.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. White moved that the House reconsider its action whereby, on a voice vote, the House adopted the motion of Inexpedient to Legislate on **HB 1663-FN**, prohibiting buying, selling, and experimenting on unborn infants or bodily remains resulting from abortion.

Rep. White spoke against.

Motion failed.



**REGULAR CALENDAR CONT'D**

**HB 1687-L**, relative to governmental liability for personal injury on playground structures. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill would hold that a municipality or a school district, which without charge permits any person to use playground structures operated by the municipality or school district, may be held liable for damages in an action to recover for bodily injury, person injury or property damage. This bill greatly expands municipal liability for personal injury claims. There was overwhelming opposition to this bill, including representatives of school boards, school administrators, municipalities, and recreation programs. This bill would eliminate longstanding municipal and school district immunities. It would undoubtedly increase lawsuits for just about any injury that could occur at a playground. This would then result in higher insurance costs and legal expenses and would likely cause some municipalities and schools districts to consider eliminating some programs and services. Vote 19-1.  
Committee report adopted.

**HB 1688-FN-L**, relative to governmental liability for negligence claims. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Judiciary. This bill was a request of a study committee that studied governmental immunity. The amendment to current law would allow suits against town or municipal employees or officials. It would expand current law which limits suits for injuries when the injury arises out of the operation of a motor vehicle or an injury occurring on a premises. This bill may hinder volunteers' willingness to sit on town boards for fear of being sued. It may also increase suits against schools for anything that may go wrong. Vote 18-2.  
Committee report adopted.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, March 10, 2016 at 9:00 a.m.

**LATE SESSION****Third Reading and Final Passage**

**HB 1430-FN**, relative to registration of compact utility tractors.

**HB 1118**, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility.

**HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws.

**HB 1237**, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children.

**HB 1279**, relative to grounds for termination of parental rights.

**HB 1105**, establishing a committee to study third party mortgage processors.

**HB 1152**, relative to the definition of specialty beer.

**HB 1195**, relative to prepayment contracts for petroleum products.

**HB 1211**, relative to requirements for certain alcoholic beverage licenses.

**HB 1264**, relative to carnival or amusement ride inspections.

**HB 1307**, relative to the procedure for amendment of condominium instruments.

**HB 1316**, relative to hospital rates for self-pay patients.

**HB 1403**, relative to reinsurance.

**HB 1409**, relative to life, accident, and health insurance.

**HB 1410**, relative to motor vehicle coverage.

**HB 1450**, relative to risk-based capital for insurers.

**HB 1459**, relative to commercial coverage.

**HB 1579**, relative to regulation of the practice of out-of-state brokers by the real estate commission.

**HB 1601**, relative to certain continuing care communities.

**HB 1618**, relative to debt adjustment services.

- HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections.
- HB 1266**, legalizing firecrackers.
- HB 1287**, repealing a provision of the harassment statute.
- HB 1305**, relative to the use of an ignition interlock device.
- HB 1353**, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop.
- HB 1381-FN**, relative to the sale of smoke bombs.
- HB 1415**, relative to escape from official custody.
- HB 1426-FN**, relative to earned time credits for prisoners participating in educational programming.
- HB 1586-FN**, prohibiting the impersonation of an emergency medical technician or firefighter.
- HB 1628-FN**, relative to human trafficking involving persons under 18 years of age.
- HB 1654-FN**, relative to flying a drone above a correctional facility.
- HB 1121**, relative to the academic areas that comprise the statewide assessment.
- HB 1145**, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.
- HB 1239**, relative to certain terminology in the education statutes.
- HB 1283**, relative to school notification of a change in placement.
- HB 1303**, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.
- HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom.
- HB 1408-FN**, relative to a school building inventory.
- HB 1114**, relative to the number of inspectors of election.
- HB 1220**, relative to disqualification of election officers.
- HB 1223**, relative to changes of address on election day.
- HB 1377**, relative to receipt of absentee ballots.
- HB 1378**, relative to disabled voters requiring assistance.
- HB 1467**, relative to notice of village district elections.
- HB 1503**, relative to distributing campaign materials at the polling place.
- HB 1515**, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.
- HB 1534**, relative to reports of death of voters.
- HB 1624-FN**, relative to electioneering by public employees.
- HB 1141**, defining "agritourism."
- HB 1171**, relative to appeals heard by the waste management council.
- HB 1354**, establishing a committee to study livestock and meat inspection.
- HB 1355**, relative to poultry producers exempted from meat inspection requirements.
- HB 1226**, relative to administration of pharmaceutical agents by optometrists.
- HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.
- HB 1246-FN**, relative to speech-language assistants.
- HB 1294**, relative to exemptions from licensure as a massage therapist.
- HB 1357**, relative to the duties of the department of cultural resources.
- HB 1588**, repealing certain prohibitions on employment of state employees.
- HB 231**, relative to the criteria for evaluating school building aid applications.
- SB 155-FN-A**, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.
- HB 1267**, relative to the family hike safe card for fish and game search and recovery expenses.
- HB 1268**, relative to liability for payment of expenses of search and rescue recovery by the fish and game department.
- HB 1286**, relative to days when fishing without a license is permitted.
- HB 1388-FN**, expanding crossbow use into muzzel loader season.
- HB 1124**, relative to the membership of the occupational therapy governing board.
- HB 1138**, relative to access to investigational drugs, biological products, and devices.
- HB 1210**, relative to prescriptions for controlled drugs by telemedicine.
- HB 1269**, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission.

- HB 1285, relative to the donation of food that has passed its expiration date.  
HB 1394, relative to the appropriation for developmental services.  
HB 1423-FN, relative to rulemaking for prescribing controlled drugs.  
HB 1490, relative to collaborative practice between pharmacists and health care practitioners.  
HB 1664-FN, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.  
HB 1665-FN, adopting the interstate medical licensure compact.  
HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness.  
HB 1204, relative to payment of rent pending the stay of an eviction proceeding.  
HB 1418-L, relative to the minutes of nonpublic sessions of public bodies.  
HB 1419, relative to voting records in nonpublic sessions of public bodies.  
HB 1569-FN, relative to volunteers under the department of resources and economic development.  
HB 1331, relative to the membership of the compensation appeals board.  
HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation.  
HB 1486, relative to membership of the state house bicentennial commission.  
HCR 12, urging support of the 65/25 initiative in New Hampshire.  
HB 1164, relative to contributions by a city to the county or state.  
HB 1181, relative to designating an alternate cemetery trustee.  
HB 1202, relative to applications submitted to a planning board.  
HB 1203, relative to voting on variances.  
HB 1244-L, relative to municipal cemeteries.  
HB 1293, relative to the procedure for charter amendments.  
HB 1315, adding mixed-use development to the definition of business and industrial facility.  
HB 1395, relative to municipal electronic records.  
HB 1587, relative to limitations on capital reserve funds of counties.  
HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial.  
HB 1147, requiring a report on federal landholdings within the state.  
HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park.  
HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain.  
HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.  
HB 1461, relative to the definition of and criteria for protection instream flow.  
HB 1589-FN, prohibiting the transport of aquatic plants and aquatic weeds.  
HB 1595-FN, relative to the rivers management and protection program.  
HB 1156, relative to interference with traffic devices.  
HB 1161, relative to the traffic safety commission.  
HB 1186, repealing the law prohibiting coasting of vehicles.  
HB 1271, making certain length and width exemptions concerning commercial vehicles.  
HB 1302, relative to driver's license requirements for operation of a mixed use school bus.  
HB 1396, relative to OHRV operation on certain highways in Grafton County.  
HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials.  
HB 1197, relative to conservation number plate funds.  
HB 1199, allowing adults to play children's bingo at private campgrounds or hotels.  
HB 1208-FN, relative to administration of the tobacco tax.  
HB 1289, making technical corrections to certain tax laws.  
HB 1290, relative to filing dates for business taxes.  
HB 1385-FN-A, relative to the sale or exchange of an interest in a business organization under the business profits tax.  
HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.  
HB 1656-FN, relative to exceptions to the real estate transfer tax.  
HB 1689, relative to operator requirements under the meals and rooms tax.  
HB 1313-FN, relative to eligibility to vote and relative to availability of voter information.  
HB 1356, relative to construction of the terms "resident," "inhabitant," "residence," and "residency."  
HB 1468, relative to sessions for correction of the checklist.  
HB 1482, relative to the Interstate Voter Registration Crosscheck Program.

## HOUSE JOURNAL NO. 9

Thursday, March 10, 2016

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O God, our Creator, Redeemer and Sanctifier, out of the depths of Your love You chose to set Your people free from the bonds of archaic laws. You blessed our ancestors with free will and gave them the insight to use it wisely. As we navigate our way through life's challenging terrain, help us to remember that we too have that freedom; we too have been blessed with the ability to use it wisely. Deliver us from the temptation to be self-serving in our endeavors. When we are weary, strengthen our resolve so that we finish what we begin. Hold us back from choosing the easy way and sacrificing the quality of our work. Keep us focused on the life purpose You have inspired in each of us, never forgetting that everything we do affects the lives of countless people - many of whom rely on us as their advocates and champions. As we respond to their trust and strive to meet their needs, protect us from arrogance and false pride, and give us the joy of using our divine gift of free will and knowing that we have chosen well. Amen.

Representative Thomas Bucu, member from Conway, led the Pledge of Allegiance.

The member from Walpole, Representative Lucy Weber and the member from New London, Representative Karen Ebel, led the singing of the National Anthem.

### MOTION TO SUSPEND HOUSE RULES

Rep. Hannon moved that House Rules be so far suspended as to permit late drafting and introduction of a Constitutional Amendment Concurrent Resolution relating to alcohol abuse and prevention and treatment. Providing that no less than 5 percent of the gross profits of the liquor commission be appropriated to alcohol education, and abuse prevention and treatment programs, past the deadline for reporting from committee.

Rep. Hannon spoke in favor.

Rep. Lynne Ober spoke against and yielded to questions.

On a division vote, with 81 members having voted in the affirmative and 203 in the negative, the motion failed.

### LEAVES OF ABSENCE

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Comtois, Emerson, Forest, Gardner, Gargas, Gordon, Kellogg, McClaren, Moody, Oxenham, Phillips, Priestley, Sanders and Straight, the day, illness. Reps. Bennett, Goulette, Hagan, Hirsch, Lundgren, Nordgren, William O'Brien, O'Hearne, O'Neil, Sherman, Souza, Whitehouse and Woodbury, the day, important business.

Reps. Booras and Rebecca Brown, the day, illness in the family.

### INTRODUCTION OF GUESTS

Alec Drummond, student at Littleton High School, and Cailee Griffin, student at Timberlane Regional High School, Pages for the day.

The Honorable Lenette Peterson, former member from Merrimack, guest of Rep. Notter.

### REGULAR CALENDAR CONT'D FROM MARCH 9, 2016

**HB 1252**, permitting employers to pay wages to employees weekly or biweekly. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would allow, but not require, employers to pay their employees on a bi-weekly basis without the necessity of requesting an exemption from the Department of Labor (DOL). Current law requires the payment of wages on a weekly basis unless a waiver is requested. Employers would see a reduction in administrative costs due to less time being required to process payroll and they would no longer have to file paperwork for waivers. There would also be a reduction in administrative workload at

**HB 1529-FN**, relative to reporting of felony convictions for voter checklist updates.

**HB 242**, relative to the statewide improvement and assessment program.

**HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.

**HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

**HB 1453**, relative to qualifying medical conditions for purposes of therapeutic cannabis.

**HB 1605-FN**, prohibiting the use of latex gloves and utensils in the food service industry.

**HB 1175-FN**, relative to post-judgment real estate liens.

**HB 1270**, relative to a jury's determination as to the applicability of a law.

**HB 1493**, relative to ownership of DNA.

**HB 1570-FN**, repealing the law governing access to reproductive health care facilities.

**HB 1660-FN-L**, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 8:10 p.m.

### RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.

Motion adopted.

the DOL since they would no longer need to process the thousands of waiver requests. Currently, there are only three other states that require the payment of wages on a weekly basis, and some states allow the payment of wages at intervals as long as a month. The committee amendment to allow the DOL to impose stricter, weekly payment of wages after showing good cause was introduced to ensure employers remain compliant and current on wage payments to employees. Reducing unnecessary regulations and red tape make this bill extremely attractive. Additionally, allowing the employer and employee to determine their business relationship maintains our state's free market principles. Vote 13-9.

Rep. Douglas Ley for the Minority of Labor, Industrial and Rehabilitative Services. The proposed bill makes biweekly pay the default or standard for employees and employers, rather than the existing weekly pay standard. At present, employers can seek permission to adopt a biweekly pay system, and unless there is a problem, the request is invariably approved by the Department of Labor. Therefore, this bill solves a non-existent problem, but will encourage more employers to pay biweekly, which will make budgeting more difficult for low-wage workers currently living paycheck to weekly paycheck. To protect such individuals, the minority opposes this bill.

### Majority Amendment (0763h)

Amend the bill by replacing all after section 3 with the following:

4 New Paragraph; Payment of Wages; Weekly. Amend RSA 275:43 by inserting after paragraph IV-a the following new paragraph:

IV-b. The commissioner may, on a temporary basis and after showing good and sufficient reason, require payment of wages weekly. The commissioner shall prescribe to the employer the terms, conditions, and duration of such temporary payments. Such restrictions shall only be in effect until the employer rectifies any deficiencies prescribed by the commissioner.

5 Effective Date. This act shall take effect 60 days after its passage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 176 members having voted in the affirmative, and 112 in the negative, the majority committee report was adopted and ordered to third reading.

### **HB 1301, relative to the issuance of youth employment certificates. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Gregory Hill for the Majority of Labor, Industrial and Rehabilitative Services. Parents of children who attend private schools or home school find it counter intuitive for the public school principal of their local school district to determine a satisfactory level of academic performance by the student in order to issue a work certificate for youths under age 16. The majority of the committee agreed that with roughly 10% of our student population attending school other than their local school district, allowing parents the option of being the authorizer of the work certificate is the right option. The amendment requires the parent or guardian to provide 48 hour notice to the Department of Labor and employer when a certificate is revoked; all certificates shall be notarized; and employers in violation of this provision shall be subject to a \$100 civil penalty. Vote 11-8.

Rep. Andrew White for the Minority of Labor, Industrial and Rehabilitative Services. The bill as amended permits parents or legal guardians to authorize any student between 14 and 16 years old to enter the workforce. Current law requires this certification to be issued by school principals, all testimony concluded the current system is working extremely well for the vast majority of our students, with some complications being encountered by home schooled students. The minority does not object to a parent or guardian approving a work certificate for home schooled students; in fact that makes perfect sense. However, passage of this bill as presented could allow students in public schools with poor academic performance to work, potentially further complicating their academic difficulties with no ability of the school to revoke the work certificate until the student's academic performance improves. There is also the potential for an unscrupulous parent or guardian to essentially compel a student to work. The minority amendment would allow a parent or guardian to authorize a home schooled student to work and would place the academic head of a private school in the same standing as the principal of a public school for these purposes.

**Majority Amendment (0587h)**

Amend the bill by replacing section 1 with the following:

1 Youth Employment Law; Certificates. Amend RSA 276-A:5 to read as follows:  
276-A:5 Certificate.

I. Certificates shall be issued by principals of schools or persons authorized by them, *or by a parent or legal guardian*, only after the determination of a satisfactory level of academic performance by the student, except that responsibility for supervision and coordination with the department in matters pertaining to this chapter shall rest upon superintendents of schools. If a student does not continue to meet a satisfactory level of academic performance after the issuance of the certificate, the principals of schools or persons authorized by them, *or a parent or legal guardian*, may revoke the certificate. In the event principals of schools or their designees revoke a certificate, notification of the revocation shall be made to the parent or legal guardian, the employer of the student, and the department of labor within 48 hours. *In the event a parent or guardian revokes a certificate, notification of the revocation shall be made to the employer of the student and the department of labor within 48 hours.* Upon receiving the notice of revocation, the department of labor shall investigate the compliance of the revocation within 90 days.

II. Certificates shall in all cases include a *notarized* signature line for the parent or legal guardian of the youth and shall show proof of (1) age and (2) adequate health.

III. Certificates shall not be issued unless age and adequacy of health have first been verified except as in paragraph I of this section.

IV. ~~Certificates shall not be issued except during vacations or as a result of written parental protest, if employment is deemed to interfere seriously with school work.~~

~~V.]~~ Certificates shall be obtained by an employer within 3 business days of the first day of employment. Copies of certificates shall be kept on file by all employers of youths.

V. Any employer not in compliance with the requirements of RSA 276-A:4 or this section shall be assessed a minimum civil penalty of \$100.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. White offered minority committee amendment (0672h).

**Minority Amendment (0672h)**

Amend the bill by replacing section 1 with the following:

1 Youth Employment Law; Certificates. Amend RSA 276-A:5 to read as follows:  
276-A:5 Certificate.

I. Certificates shall be issued by principals of schools *or their equivalent in private or religious schools*, or persons authorized by them, *or by a parent or legal guardian in the case of a home schooled student*, only after the determination of a satisfactory level of academic performance by the student, except that responsibility for supervision and coordination with the department in matters pertaining to this chapter shall rest upon superintendents of schools. If a student does not continue to meet a satisfactory level of academic performance after the issuance of the certificate, the principals of schools *or their equivalent in private or religious schools*, or persons authorized by them, *or a parent or legal guardian in the case of home schooled student*, may revoke the certificate. In the event principals of schools *or their equivalent in private or religious schools*, or their designees revoke a certificate, notification of the revocation shall be made to the parent or legal guardian, the employer of the student, and the department of labor within 48 hours. *In the event a parent or guardian revokes a certificate, notification of the revocation shall be made to the employer of the student and the department of labor within 48 hours.* Upon receiving the notice of revocation, the department of labor shall investigate the compliance of the revocation within 90 days.

II. Certificates shall in all cases include a *notarized* signature line for the parent or legal guardian of the youth and shall show proof of (1) age and (2) adequate health.

III. Certificates shall not be issued unless age and adequacy of health have first been verified except as in paragraph I of this section.

IV. ~~[Certificates shall not be issued except during vacations or as a result of written parental protest, if employment is deemed to interfere seriously with school work.]~~

✓.] Certificates shall be obtained by an employer within 3 business days of the first day of employment. Copies of certificates shall be kept on file by all employers of youths.

V. Any employer not in compliance with the requirements of RSA 276-A:4 or this section shall be assessed a minimum civil penalty of \$100.

### AMENDED ANALYSIS

This bill permits parents or legal guardians to issue youth employment certificates for home schooled children.

Rep. White spoke in favor.

Rep. Infantine spoke against.

On a division vote, with 145 members having voted in the affirmative, and 150 in the negative, the minority committee amendment failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Sylvia requested a roll call; sufficiently seconded.

### YEAS 188 NAYS 121

#### YEAS - 188

##### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
Russell, David  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Flanders, Donald  
Hurt, George  
Tilton, Franklin

##### CARROLL

Avellani, Lino  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold  
Wright, Ted

Cordelli, Glenn  
Schmidt, Stephen

McCarthy, Frank  
Ticehurst, Susan

##### CHESHIRE

Hunt, John

McConnell, James

Roberts, Kris

Sterling, Franklin

##### COOS

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

##### GRAFTON

Bailey, Brad  
Hennessey, Erin  
Shackett, Jeffrey

Brown, Duane  
Ingbertson, Paul

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

##### HILLSBOROUGH

Adams, Christopher  
Belanger, James  
Byron, Frank  
Danielson, David  
Estevez, Eric  
Gagne, Larry  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
Moore, Josh  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Simmons, Tammy  
Twombly, Timothy

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Infantine, William  
Marston, Dick  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Smith, Gregory  
Ulery, Jordan

Balcom, John  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Flanagan, Jack  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
McCarthy, Peggy  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Sullivan, Victoria  
Vann, Ivy

Barry, Richard  
Burt, John  
Coffey, James  
Edwards, Elizabeth  
Fromuth, Bart  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Sanborn, Laurie  
Takesian, Charlene  
Wolf, Terry



**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Kuch, Bill  
McGuire, Carol  
Seaworth, Brian

Ebel, Karen  
Horn, Werner  
Long, Douglas  
McGuire, Dan  
Walsh, Thomas

French, Harold  
Kidder, David  
Marple, Richard  
Parent, Jason  
Wheeler, Deborah

Hill, Gregory  
Kotowski, Frank  
Martin, John  
Rice, Chip

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Chirichello, Brian  
Doucette, Fred  
Ferrante, Beverly  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Tamburello, Daniel  
Vose, Michael  
Weyler, Kenneth

Azarian, Gary  
Bush, Carol  
Cook, Allen  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
Milz, David  
Packard, Sherman  
Simpson, Alexis  
Thomas, Douglas  
Ward, Joanne  
Woitkun, Steven

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Elliott, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Spillane, James  
True, Chris  
Webb, James

Barnes, Arthur  
Chase, Francis  
Devine, James  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Sweeney, Joe  
Tucker, Pamela  
Welch, David

**STRAFFORD**

Bickford, David  
Gray, James  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

Cilley, Jacalyn  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

**SULLIVAN**

Gottling, Suzanne  
Smith, Steven

Grenier, James

Laware, Thomas

Rollins, Skip

**NAYS - 121****CARROLL**

Buco, Thomas

Butler, Edward

Crawford, Karel

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Tilton, Benjamin

Bordenet, John  
Ley, Douglas  
Sad, Tara  
Weber, Lucy

**COOS**

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Almy, Susan  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Maes, Kevin  
Sykes, George

Ford, Susan  
Massimilla, Linda  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Cote, David  
Goley, Jeffrey  
Herbert, Christopher  
Mangipudi, Latha  
Roberts, Carol  
Soucy, Timothy

Brown, Pamela  
DiSilvestro, Linda  
Gorman, Mary  
Jack, Martin  
Manley, Jonathan  
Rosenwald, Cindy  
Sullivan, Daniel

Cohen, Alan  
Donovan, Daniel  
Harvey, Suzanne  
Judy, Jean  
McNamara, Richard  
Shattuck, Gilman  
Walsh, Robert

Cornell, Patricia  
Freitas, Mary  
Heath, Mary  
Long, Patrick  
Porter, Marjorie  
Smith, Timothy  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
Gile, Mary  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Henle, Paul  
MacKay, James  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
Frazer, June  
Karrick, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
French, Barbara  
Kenison, Linda  
Patten, Dick  
Schuett, Dianne

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Lovejoy, Patricia  
Ward, Gerald

Borden, David  
DiFranco, Debbie  
McBeath, Rebecca

Cahill, Michael  
Francesse, Paula  
Pantelakos, Laura

Cardon, G. Thomas  
Gordon, Pamela  
Tilton, Rio

**STRAFFORD**

Baber, William  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Berube, Roger  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Bixby, Peter  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

Burton, Wayne  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Oxenham, Lee

Converse, Larry  
Schmidt, Andrew

Gagnon, Raymond

Irwin, Virginia

and the majority committee report was adopted and ordered to third reading.

**HB 1322**, relative to reports to the public employee labor relations board. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gregory Hill for the Majority of Labor, Industrial and Rehabilitative Services. The majority understands that transparency in government is a laudable endeavor. Testimony indicated that some employees throughout state service have had difficulty locating demographics of how many fellow employees participate in the applicable union and how many pay the agency fee. The amendment requires that information is to be posted semi-annually within each bargaining unit in a place accessible to each employee, rather than just quarterly reports as proposed in the original bill. Vote 13-9.

Rep. Andrew White for the Minority of Labor, Industrial and Rehabilitative Services. The bill as amended places an unnecessary burden on public employers to compile and report data that they may or may not have access to. The bill is premised on the notion that all public employers deduct from every employee's wages, union dues, or agency fees, which is simply false. Many public employees elect to pay the representative union dues or agency fees directly by check or through a direct debit from their personal bank accounts; transactions the public employer would have no knowledge of. A person could simply ask the organization they are represented by for the information, relieving the public employer of the unnecessary burden of compiling reports, which for the reasons stated above are not going to be accurate in all instances.

**Majority Amendment (0666h)**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Public Employee Labor Relations; Records and Reports. Amend RSA 273-A:16 by inserting after paragraph V the following new paragraph:

VI. Each public employer of each bargaining unit, as determined by the board under RSA 273-A:8, shall calculate and report semiannually, on January 1 and July 1 of each year, to the board, the board of the public employer, and each employee within the public employee's bargaining unit by email and a notice posted in a place accessible to the employee, the total number of public employees within the bargaining unit paying union dues, the total number of public employees within the bargaining unit paying agency fees, and the ratio, expressed as a percentage, of the number of those public employees paying union dues to the total number of public employees in the bargaining unit.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
 Rep. Ley spoke against and yielded to questions.  
 Rep. Infantine spoke in favor and yielded to questions.  
 Rep. White requested a roll call; sufficiently seconded.

**YEAS 173 NAYS 146****YEAS - 173****BELKNAP**

Aldrich, Glen  
 Fraser, Valerie  
 Russell, David  
 Vadney, Herbert

Dumais, Russell  
 Gallagher, Brian  
 Spanos, Peter

Fields, Dennis  
 Howard, Jr., Raymond  
 Sylvia, Michael

Flanders, Donald  
 Hurt, George  
 Tilton, Franklin

**CARROLL**

Avellani, Lino  
 McCarthy, Frank  
 Umberger, Karen

Chandler, Gene  
 Nelson, Bill  
 Wright, Ted

Cordelli, Glenn  
 Parker, Harold

Crawford, Karel  
 Schmidt, Stephen

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Fothergill, John  
 Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
 Hennessey, Erin  
 Ladd, Rick

Brown, Duane  
 Hull, Robert

Darrow, Stephen  
 Ingbreton, Paul

Gionet, Edmond  
 Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
 Belanger, James  
 Byron, Frank  
 Danielson, David  
 Estevez, Eric  
 Gagne, Larry  
 Halstead, Carolyn  
 Hopper, Gary  
 LeBrun, Donald  
 Murotake, David  
 Ober, Russell  
 Pellegrino, Anthony  
 Sanborn, Laurie  
 Sullivan, Victoria

Ammon, Keith  
 Biggie, Barbara  
 Christensen, Chris  
 Donovan, Daniel  
 Ferreira, Elizabeth  
 Gould, Linda  
 Hansen, Peter  
 Infantine, William  
 Marston, Dick  
 Murphy, Keith  
 Ohm, Bill  
 Peterson, Ken  
 Schleien, Eric  
 Twombly, Timothy

Balcom, John  
 Boehm, Ralph  
 Christie, Rick  
 Eastman, Eric  
 Flanagan, Jack  
 Griffin, Barbara  
 Hinch, Richard  
 Kurk, Neal  
 McLean, Mark  
 Notter, Jeanine  
 Palmer, Barry  
 Rice, Kimberly  
 Simmons, Tammy  
 Ulery, Jordan

Barry, Richard  
 Burt, John  
 Coffey, James  
 Edelblut, Frank  
 Fromuth, Bart  
 Haefner, Robert  
 Hogan, Edith  
 Lachance, Joseph  
 Moore, Josh  
 Ober, Lynne  
 Parison, James  
 Rouillard, Claire  
 Smith, Gregory  
 Wolf, Terry

**MERRIMACK**

Brewster, Michael  
 Horn, Werner  
 Long, Douglas  
 McGuire, Dan

French, Harold  
 Kidder, David  
 Marple, Richard  
 Parent, Jason

Hill, Gregory  
 Kotowski, Frank  
 Martin, John  
 Seaworth, Brian

Hoell, J.R.  
 Kuch, Bill  
 McGuire, Carol  
 Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Elliott, Robert

Baldasaro, Alfred  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy

Bates, David  
 Christie, Andrew  
 Devine, James  
 Ferrante, Beverly

Bush, Carol  
 Cook, Allen  
 Duarte, Joe  
 Gannon, William

Green, Dennis  
Hoelzel, Kathleen  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Sweeney, Joe  
Tucker, Pamela  
Weyler, Kenneth

Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Tamburello, Daniel  
Vose, Michael

Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, Joanne

Hodgdon, Bruce  
Kolodziej, Walter  
Milz, David  
Packard, Sherman  
Spillane, James  
True, Chris  
Welch, David

## STRAFFORD

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Bickford, David  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Pitre, Joseph

## SULLIVAN

Rollins, Skip

Smith, Steven

## NAYS - 146

## CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

## CHESHIRE

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Ames, Richard  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Berch, Paul  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Bordenet, John  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

## COOS

Forburg, Alethea

Moynihan, Wayne

Theberge, Robert

## GRAFTON

Abel, Richard  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Higgins, Patricia  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

Ford, Susan  
Massimilla, Linda  
Sykes, George

## HILLSBOROUGH

Backus, Robert  
Cornell, Patricia  
Freitas, Mary  
Heath, Mary  
Leishman, Peter  
McCarthy, Peggy  
Proulx, Mark  
Shaw, Barbara  
Takesian, Charlene

Brown, Pamela  
Cote, David  
Goley, Jeffrey  
Herbert, Christopher  
Long, Patrick  
McNamara, Richard  
Roberts, Carol  
Smith, Timothy  
Vann, Ivy

Christiansen, Lars  
DiSilvestro, Linda  
Gorman, Mary  
Jack, Martin  
Mangipudi, Latha  
Pierce, David  
Rosenwald, Cindy  
Soucy, Timothy  
Walsh, Robert

Cohen, Alan  
Edwards, Elizabeth  
Harvey, Suzanne  
Judy, Jean  
Manley, Jonathan  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

## MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Kenison, Linda  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Karrick, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

**ROCKINGHAM**

Azarian, Gary  
Cahill, Michael  
DiFranco, Debbie  
Lovejoy, Patricia  
Tilton, Rio

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Doucette, Fred  
McBeath, Rebecca  
Ward, Gerald

Berrien, Skip  
Cardon, G. Thomas  
Francese, Paula  
Pantelakos, Laura  
Webb, James

Borden, David  
Cushing, Robert  
Gordon, Pamela  
Simpson, Alexis  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

**HB 1346**, relative to minimum wage for tipped employees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. There are two House bills the Labor Committee has heard this session regarding proposed changes to both the hourly minimum wage and minimum wages for tipped employees. The committee has decided to consolidate the two as part of HB 1480. Vote 10-8.

Rep. Douglas Ley for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes that an increase in the minimum wage is long overdue in New Hampshire. However, there is potentially a second bill which may begin to address wage issues, and the minority will focus their efforts thereupon.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cilley spoke against and yielded to questions.

Rep. Murphy spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 190 NAYS 137**

**YEAS - 190****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Parker, Harold

Butler, Edward  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

Tilton, Benjamin

**COOS**

Fothergill, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Ladd, Rick

Brown, Duane  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ingbretson, Paul  
Shackett, Jeffrey

Gionet, Edmond  
Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Donovan, Daniel  
Fromuth, Bart  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Sullivan, Victoria  
Wolf, Terry

Balcom, John  
Boehm, Ralph  
Christie, Rick  
Edelblut, Frank  
Gagne, Larry  
Halstead, Carolyn  
Infantine, William  
Marston, Dick  
Moore, Josh  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Takesian, Charlene

Barry, Richard  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Kurk, Neal  
Martel, Andre  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Twombly, Timothy

Belanger, James  
Byron, Frank  
Danielson, David  
Flanagan, Jack  
Griffin, Barbara  
Hinch, Richard  
Lachance, Joseph  
McCarthy, Peggy  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Simmons, Tammy  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

French, Harold  
Karrick, David  
Long, Douglas  
McGuire, Dan

Hill, Gregory  
Kenison, Linda  
Marple, Richard  
Parent, Jason

Hoell, J.R.  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Bush, Carol  
Christie, Andrew  
Devine, James  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Packard, Sherman  
Schroadter, Adam  
Tamburello, Daniel  
Tucker, Pamela  
Weyler, Kenneth

Azarian, Gary  
Cardon, G. Thomas  
Cook, Allen  
Doucette, Fred  
Ferrante, Beverly  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Spillane, James  
Thomas, Douglas  
Vose, Michael  
Woitkun, Steven

Baldasaro, Alfred  
Chase, Francis  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne

Bates, David  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McKinney, Betsy  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sytek, John  
True, Chris  
Welch, David

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Bickford, David  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS - 137  
CARROLL**

Buco, Thomas

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Sykes, George

Cooney, Mary  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Massimilla, Linda  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Cohen, Alan  
Freitas, Mary  
Heath, Mary  
Jeudy, Jean  
Manley, Jonathan  
Rosenwald, Cindy  
Smith, Timothy  
Sweeney, Shawn

Baroody, Benjamin  
Cornell, Patricia  
Goley, Jeffrey  
Herbert, Christopher  
Leishman, Peter  
McNamara, Richard  
Shattuck, Gilman  
Snow, Kendall  
Vann, Ivy

Brown, Pamela  
Cote, David  
Gorman, Mary  
Hogan, Edith  
Long, Patrick  
Porter, Marjorie  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Christiansen, Lars  
DiSilvestro, Linda  
Harvey, Suzanne  
Jack, Martin  
Mangipudi, Latha  
Roberts, Carol  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Gile, Mary  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Gordon, Pamela  
Simpson, Alexis

Berrien, Skip  
Cushing, Robert  
Lovejoy, Patricia  
Ward, Gerald

Borden, David  
DiFranco, Debbie  
McBeath, Rebecca  
Webb, James

Cahill, Michael  
Francese, Paula  
Pantelakos, Laura

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Horriggan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

and the majority committee report was adopted.

**HB 1376**, relative to temporary workers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would mandate that after a period of six months, the employer of a "temporary worker" would be required to offer permanent work status to that worker. There are multiple problems contained

within the intent of this bill. Currently, there are no other states in our country that have this must-hire mandate making New Hampshire a "test case." The requirement to hire after six months would interfere with the employer/employee business relationship. Some employers need or want the flexibility that temporary workers sometime provide. Other employers frequently utilize temporary workers to assess those workers for long-term employment opportunities. The bill might also have the adverse effect of employers dismissing temporary workers as the six-month deadline approached. The testimony of the Business and Industry Association noted that there are currently no existing problems between temporary agencies, their employees and the employers they serve. Adding additional mandates and regulations into an already overly burdensome business environment would make New Hampshire's business climate less competitive in comparison to other states. Vote 10-8. Rep. Michael Cahill for the Minority of Labor, Industrial and Rehabilitative Services. We have a duty to balance the needs of employees and employers. Permitting the use of temporary staff on an indefinite basis is contrary to the worker's interests. If there is work to be done, hire someone to do it.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cahill spoke against.

Rep. Leonard Turcotte spoke in favor.

Majority committee report adopted.

**HB 1480-FN, establishing a state minimum wage. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This is the second minimum wage bill introduced this session. This particular bill would step up the hourly minimum wage to \$9.50 over the next three years. Testimony given indicated that only about 1% of workers in our state make current minimum wage. All state employees make more than the new minimum wage rates in this bill. A recent statement by Walmart indicated that as of February 1, 2016, their part time employees in NH are making an average of \$10.95 an hour, and their full time employees \$14.29 an hour. Walmart has had to increase their wages due to an "employee's market," proving the economic laws of supply and demand indeed work. "Tipped" employees minimum wages would also increase to \$5.00 an hour and only apply to restaurants, eliminating hotels, motels, inns, cabins and ballrooms from current statutory language. Testimony given by some representing the restaurant businesses confirmed that current base rate plus tips average between \$16 and \$22 an hour, with some even higher depending on the venue. There were no tipped employees who testified in favor of either of the two bills introduced. As with the many bills that have come before this committee regarding minimum wage rate hikes, we find that allowing the free market to work is preferable to instituting another government mandate setting arbitrary and artificial minimum wage rates. Vote 12-10.

Rep. Douglas Ley for the Minority of Labor, Industrial and Rehabilitative Services. New Hampshire currently has the lowest minimum wage amongst the six New England states. The minority believes it is time to move to increase the New Hampshire minimum wage, even by small increments. The number of workers earning minimum wage may have declined in New Hampshire, but their needs are real, and the current minimum wage is far too low. Those paid the minimum are not primarily teenagers but adults working two jobs or struggling to make ends meet. Therefore, we believe it is time for New Hampshire to move forward and improve the lives and working conditions of the citizens of New Hampshire.

The question being adoption of the majority committee report of Inexpedient to Legislate.

**(Rep. Packard in the Chair)**

Rep. Murphy spoke in favor.

Rep. White spoke against and requested a roll call; sufficiently seconded.

**YEAS 185 NAYS 143**

**YEAS - 185**

**BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Howard, Jr., Raymond  
Sylvia, Michael

Flanders, Donald  
Hurt, George  
Vadney, Herbert



**CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Hull, Robert  
Piper, Wendy

Brown, Duane  
Ingbretson, Paul  
Shackett, Jeffrey

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Byron, Frank  
Coffey, James  
Edelblut, Frank  
Gagne, Larry  
Halstead, Carolyn  
Hopper, Gary  
Marston, Dick  
Moore, Josh  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Sullivan, Victoria  
Wolf, Terry

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Kurk, Neal  
Martel, Andre  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Takesian, Charlene

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Donovan, Daniel  
Flanagan, Jack  
Griffin, Barbara  
Hinch, Richard  
Lachance, Joseph  
McCarthy, Peggy  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Simmons, Tammy  
Twombly, Timothy

Barry, Richard  
Burt, John  
Christie, Rick  
Eastman, Eric  
Fromuth, Bart  
Haefner, Robert  
Hogan, Edith  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Smith, Gregory  
Ulery, Jordan

**MERRIMACK**

French, Harold  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

Kotowski, Frank  
Martin, John  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Tamburello, Daniel  
Tucker, Pamela  
Welch, David

Azarian, Gary  
Bush, Carol  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Potucek, John  
Spillane, James  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

Baldasaro, Alfred  
Cardon, G. Thomas  
Cook, Allen  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne  
Woitkun, Steven

Barnes, Arthur  
Chase, Francis  
Dean-Bailey, Yvonne  
Elliott, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McKinney, Betsy  
Osborne, Jason  
Rice, Frederick  
Sytek, John  
True, Chris  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Bickford, David  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS - 143****BELKNAP**

Tilton, Franklin

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Fothergill, John  
Thomas, Yvonne

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
White, Andrew

Almy, Susan  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Sykes, George

Darrow, Stephen  
Maes, Kevin  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Cornell, Patricia  
Goley, Jeffrey  
Herbert, Christopher  
Leishman, Peter  
McNamara, Richard  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Baroody, Benjamin  
Cote, David  
Gorman, Mary  
Infantine, William  
Long, Patrick  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Brown, Pamela  
DiSilvestro, Linda  
Harvey, Suzanne  
Jack, Martin  
Mangipudi, Latha  
Roberts, Carol  
Smith, Timothy  
Sweeney, Shawn

Cohen, Alan  
Freitas, Mary  
Heath, Mary  
Judy, Jean  
Manley, Jonathan  
Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Horn, Werner  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Deloge, Helen  
French, Barbara  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Brewster, Michael  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Simpson, Alexis

Borden, David  
DiFranco, Debbie  
Lovejoy, Patricia  
Ward, Gerald

Cahill, Michael  
Francesse, Paula  
McBeath, Rebecca

Cali-Pitts, Jacqueline  
Gordon, Pamela  
Pantelakos, Laura

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

and the majority committee report was adopted.

**HB 1112**, relative to subdivision of land. **OUGHT TO PASS.**

Rep. James Coffey for Municipal and County Government. This proposal amends RSA 674:36, II, which contains a list of items that should be addressed by a municipality's planning board when compiling their subdivision regulations, by adding a statement that as a condition of subdivision approval the applicant clean up any existing environmental contamination. As with all the other items listed in this statute, the details of how this is accomplished needs to be completed by the local planning board. This proposed change to RSA 674:36 is to ensure that any known environmental contamination on a site is addressed if the parcel is being subdivided. It does not preclude the subdivision of any property that meets all other local requirements and within the context of the existing statute there are provisions for waivers when appropriate. This simply adds to an optional list of conditions a planning board may impose and is not a mandate. Vote 12-5.

**MOTION TO LAY ON THE TABLE**

Rep. Azarian moved that **HB 1112**, relative to subdivision of land, be laid on the table.  
Rep. Coffey requested a roll call; sufficiently seconded.

**YEAS 240 NAYS 87**

**YEAS - 240****BELKNAP**

Dumais, Russell  
Gallagher, Brian  
Russell, David

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Tilton, Franklin

Fraser, Valerie  
LeBreche, Shari  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Cordelli, Glenn  
Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
Hunt, John  
Roberts, Kris

Berch, Paul  
McConnell, James  
Tatro, Bruce

Bordenet, John  
Parkhurst, Henry  
Weber, Lucy

Chase, Cynthia  
Pearson, William

**COOS**

Fothergill, John  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

Rappaport, Laurence  
Tholl, John

Richardson, Herbert  
Thomas, Yvonne

**GRAFTON**

Bailey, Brad  
Gionet, Edmond  
Johnson, Eric  
Shackett, Jeffrey

Brown, Duane  
Higgins, Patricia  
Ladd, Rick  
Smith, Suzanne

Darrow, Stephen  
Hull, Robert  
Massimilla, Linda  
Townsend, Charles

Ford, Susan  
Ingbertson, Paul  
Piper, Wendy

**HILLSBOROUGH**

Adams, Christopher  
Baroddy, Benjamin  
Burt, John  
Christie, Rick  
DiSilvestro, Linda  
Freitas, Mary  
Gould, Linda  
Heath, Mary  
Kurk, Neal  
Manley, Jonathan  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Shaw, Barbara  
Snow, Kendall  
Takesian, Charlene

Ammon, Keith  
Barry, Richard  
Byron, Frank  
Cohen, Alan  
Donovan, Daniel  
Gagne, Larry  
Haefner, Robert  
Hinch, Richard  
Lachance, Joseph  
Martel, Andre  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Simmons, Tammy  
Soucy, Timothy  
Twombly, Timothy

Backus, Robert  
Biggie, Barbara  
Christensen, Chris  
Cote, David  
Ferreira, Elizabeth  
Goley, Jeffrey  
Hansen, Peter  
Hogan, Edith  
LeBrun, Donald  
McCarthy, Peggy  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Smith, Gregory  
Sullivan, Daniel  
Ulery, Jordan

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Flanagan, Jack  
Gorman, Mary  
Harvey, Suzanne  
Infantine, William  
Long, Patrick  
Moore, Josh  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Smith, Timothy  
Sweeney, Shawn  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Henle, Paul  
Kenison, Linda  
Long, Douglas  
McGuire, Carol  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Hoell, J.R.  
Kidder, David  
MacKay, James  
McGuire, Dan  
Rice, Chip  
Shurtleff, Stephen

Brewster, Michael  
French, Harold  
Horn, Werner  
Kotowski, Frank  
Marple, Richard  
Parent, Jason  
Rogers, Katherine  
Turcotte, Alan

Deloge, Helen  
Gile, Mary  
Karrick, David  
Kuch, Bill  
Martin, John  
Patten, Dick  
Saunderson, George  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Cardon, G. Thomas  
Cook, Allen  
Devine, James  
Emerick, J. Tracy  
Griffin, Mary  
Itse, Daniel  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Simpson, Alexis  
Tamburello, Daniel  
Tucker, Pamela  
Welch, David

Azarian, Gary  
Borden, David  
Chase, Francis  
Cushing, Robert  
DiFranco, Debbie  
Ferrante, Beverly  
Hodgdon, Bruce  
Kappler, Lawrence  
McBeath, Rebecca  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Thomas, Douglas  
Ward, Gerald  
Weyler, Kenneth

Baldasaro, Alfred  
Bush, Carol  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Doucette, Fred  
Gannon, William  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
McKinney, Betsy  
Pantelakos, Laura  
Rice, Frederick  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne  
Woitkun, Steven

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Christie, Andrew  
DeSimone, Debra  
Elliott, Robert  
Gordon, Pamela  
Introne, Robert  
Major, Norman  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Sytek, John  
True, Chris  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Cilley, Jacalyn  
Jones, Laura  
Pitre, Joseph  
Stevens, Audrey

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Rollo, Deanna  
Turcotte, Leonard

Burton, Wayne  
Groen, Warren  
Leeman, Don  
Southworth, Thomas  
Ward, Kenneth

Cheney, Catherine  
Hannon, Joseph  
Mullen, John  
Sprague, Dale

**SULLIVAN**

Cloutier, John  
Smith, Steven

Gottling, Suzanne

Grenier, James

Laware, Thomas

**NAYS - 87  
BELKNAP**

Aldrich, Glen Sylvia, Michael

**CARROLL**

Buco, Thomas Comeau, Ed McCarthy, Frank Wright, Ted

**CHESHIRE**Abbott, Michael Eaton, Daniel Ley, Douglas Mann, John  
Robertson, Timothy Sad, Tara Sterling, Franklin Tilton, Benjamin**COOS**

Froburg, Alethea

**GRAFTON**Abel, Richard Almy, Susan Cooney, Mary Hennessey, Erin  
Hennessey, Martha Maes, Kevin White, Andrew**HILLSBOROUGH**Belanger, James Brown, Pamela Coffey, James Cornell, Patricia  
Eastman, Eric Edelblut, Frank Estevez, Eric Fromuth, Bart  
Griffin, Barbara Halstead, Carolyn Herbert, Christopher Jack, Martin  
Judy, Jean Leishman, Peter Mangipudi, Latha Marston, Dick  
McLean, Mark McNamara, Richard Porter, Marjorie Roberts, Carol  
Rosenwald, Cindy Schleien, Eric Shattuck, Gilman Sullivan, Victoria  
Walsh, Robert Williams, Kermit Wolf, Terry**MERRIMACK**Bartlett, Christy Carson, Clyde Frazer, June French, Barbara  
Hill, Gregory Luneau, David Moffett, Howard Myler, Mel  
Seaworth, Brian Wallner, Mary Jane**ROCKINGHAM**Berrien, Skip Cahill, Michael Duarte, Joe Francese, Paula  
Green, Dennis Harris, Jeffrey Heffron, Frank Lovejoy, Patricia  
Osborne, Jason Vose, Michael**STRAFFORD**Baber, William Berube, Roger Bixby, Peter DiSesa, Len  
Graham, Robert Horrigan, Timothy Kaen, Naida Schmidt, Peter  
Smith, Marjorie Spang, Judith Wall, Janet Wuelper, Kurt**SULLIVAN**Converse, Larry Gagnon, Raymond Irwin, Virginia Oxenham, Lee  
Rollins, Skip Schmidt, Andrew

and the motion was adopted.

**REGULAR CALENDAR CONT'D****HB 1129**, relative to approval of fees established by the register of deeds. **INEXPEDIENT TO LEGISLATE.**

Rep. Benjamin Tilton for Municipal and County Government. This legislation would require the county commissioners and the county convention to approve all fees collected by the Office of the Register of Deeds. The county commissioners and county convention have the responsibility of review and approval of the Register of Deeds budget annually. Therefore, the majority felt this was unnecessary legislation. Vote 11-4.

Committee report adopted.

**HB 1180-L**, relative to the authority of towns to issue bonds for the expansion of Internet service.  
**MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Catherine Cheney for the Majority of Municipal and County Government. The intent of the bill is to solve the problem for the 7% of the NH population that do not have high speed Internet. Communities would be able to expand their own coverage by providing the necessary infrastructure and maintenance independently of cable companies through bonding. Cases from other states include Vermont, where the bond ratings were downgraded on the City of Burlington, Burlington International Airport, and Burlington Electric Department as well as assignment of a negative outlook from Moody's. "Bad judgment" was one of the charges filed by state and federal investigators. Burlington's taxpayers ended up owing the bank \$33.5 million. The debt was settled for less but they still owe \$17 million. Other places where this was tried include Groton, Connecticut where monies spent were \$10 million more than estimated. Costs between 2000 and 2008 went from \$7 million to \$35 million. Now that Groton has sold off the failing asset, the community is paying the remaining \$27 million debt and the transfer of \$11 million in losses. Moody's downgraded the rating of Groton. Their market study relied on a survey of citizens that would like cable, though cautioned of the risk and a changing marketplace. Service changes in the early and mid-2000s proved too fast for the government to compete with advanced communications, and the city officials failed to account for this in the business model. Marketplace and organic market forces overcame all attempts to provide a "fix" to the shortcomings. Kentucky also has its own government broadband and assumptions made for award of school contracts placed them head to head with AT&T where the state had an unfair advantage. A shortfall in projected income, resignations and placing taxpayers at risk were the results. (Otts, Chris, Newscast, WDRB News, 2016). Technology in this area is still rapidly changing. What is considered broadband access today will be very much different tomorrow. When looking at using taxpayer dollars to build out and provide broadband Internet, television, and other infrastructure, many events such as storms and outages will have to be addressed. This bill could hurt private investment in a no-win regulatory scheme and would slow private sector job growth. Two years ago, not all public schools had broadband, now they do. Connect America Fund Phase II (CAFII) will be spending \$30 million dollars over the next few years to extend coverage into 13,000 areas identified in New Hampshire to provide coverage where it is weak or non-existing. Companies are investing in provision of services to all areas of New Hampshire. AT&T invested \$100 million last year in New Hampshire. Even if the state permitted a community to take on the outfitting and bonding of this service, there would (more than likely) still be some in areas, where bonding was done for the purpose of providing service for those that are not served. The majority of the committee felt this is not a good risk for any community to place on the state, municipalities or taxpayers. Vote 9-7.

Rep. Marjorie Porter for the Minority of Municipal and County Government. This is enabling legislation. There are still pockets in many communities that do not have access to broadband services. In some places dial up connections are still all that are available. Current statute allows municipalities that have no service at all to issue bonds to pay for broadband infrastructure in their communities. HB 1180 will allow towns that are only partially served to issue these bonds as well, so broadband service may be made available to all.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Gregory Smith spoke in favor and yielded to questions.

Rep. Porter spoke against and yielded to questions.

Rep. Cheney spoke in favor.

Rep. Gladys Johnsen requested a roll call; sufficiently seconded.

**YEAS 188    NAYS 142**

**YEAS - 188**

**BELKNAP**

Aldrich, Glen  
 Fraser, Valerie  
 LeBreche, Shari  
 Vadney, Herbert

Dumais, Russell  
 Gallagher, Brian  
 Russell, David

Fields, Dennis  
 Howard, Jr., Raymond  
 Spanos, Peter

Flanders, Donald  
 Hurt, George  
 Sylvia, Michael

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Eaton, Daniel

Hunt, John

McConnell, James

Tatro, Bruce

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Almy, Susan  
Gionet, Edmond  
Shackett, Jeffrey

Bailey, Brad  
Hull, Robert

Brown, Duane  
Ingretson, Paul

Darrow, Stephen  
Johnson, Eric

**HILLSBOROUGH**

Ammon, Keith  
Biggie, Barbara  
Christiansen, Lars  
Estevez, Eric  
Fromuth, Bart  
Gould, Linda  
Heath, Mary  
Judy, Jean  
Marston, Dick  
Moore, Josh  
Ohm, Bill  
Pierce, David  
Simmons, Tammy  
Takesian, Charlene

Balcom, John  
Boehm, Ralph  
Christie, Rick  
Ferreira, Elizabeth  
Gagne, Larry  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
Martel, Andre  
Murotake, David  
Palmer, Barry  
Rice, Kimberly  
Smith, Gregory  
Twombly, Timothy

Barry, Richard  
Burt, John  
Eastman, Eric  
Flanagan, Jack  
Gidge, Kenneth  
Halstead, Carolyn  
Hogan, Edith  
Lachance, Joseph  
McCarthy, Peggy  
Murphy, Keith  
Parison, James  
Rouillard, Claire  
Sullivan, Victoria  
Ulery, Jordan

Belanger, James  
Byron, Frank  
Edelblut, Frank  
Freitas, Mary  
Goley, Jeffrey  
Hansen, Peter  
Jack, Martin  
LeBrun, Donald  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Sanborn, Laurie  
Sweeney, Shawn  
Walsh, Robert

**MERRIMACK**

Brewster, Michael  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

French, Harold  
Kuch, Bill  
McGuire, Carol  
Walsh, Thomas

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

Horn, Werner  
Marple, Richard  
Parent, Jason

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Chase, Francis  
Dean-Bailey, Yvonne  
Elliott, Robert  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
O'Connor, John  
Rice, Frederick  
Sytek, John  
True, Chris  
Webb, James

Azarian, Gary  
Bush, Carol  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
Osborne, Jason  
Schroadter, Adam  
Tamburello, Daniel  
Tucker, Pamela  
Welch, David

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Harris, Jeffrey  
Itse, Daniel  
Lovejoy, Patricia  
Milz, David  
Potucek, John  
Spillane, James  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

Barnes, Arthur  
Cardon, G. Thomas  
Cook, Allen  
Doucette, Fred  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Tilton, Rio  
Ward, Joanne  
Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
DiSesa, Len

Berube, Roger  
Graham, Robert

Bickford, David  
Gray, James

Cheney, Catherine  
Groen, Warren

Hannon, Joseph  
Leeman, Don  
Wuelper, Kurt

Jones, Laura  
Mullen, John

Kaczynski, Jr., Thomas  
Pitre, Joseph

Kaen, Naida  
Turcotte, Leonard

## SULLIVAN

Gagnon, Raymond  
Smith, Steven

Laware, Thomas

Rollins, Skip

Schmidt, Andrew

## NAYS - 142 BELKNAP

Tilton, Franklin

## CARROLL

Butler, Edward

McConkey, Mark

Ticehurst, Susan

Wright, Ted

## CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Johnsen, Gladys  
Pearson, William  
Sterling, Franklin

Berch, Paul  
Ley, Douglas  
Roberts, Kris  
Tilton, Benjamin

Bordenet, John  
Mann, John  
Sad, Tara  
Weber, Lucy

## COOS

Fothergill, John  
Thomas, Yvonne

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

## GRAFTON

Abel, Richard  
Hennessey, Martha  
Massimilla, Linda  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

Ford, Susan  
Ladd, Rick  
Smith, Suzanne

Hennessey, Erin  
Maes, Kevin  
Sykes, George

## HILLSBOROUGH

Adams, Christopher  
Coffey, James  
Danielson, David  
Guerette, C. Lee  
Herbert, Christopher  
Manley, Jonathan  
Peterson, Ken  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

Backus, Robert  
Cohen, Alan  
DiSilvestro, Linda  
Haefner, Robert  
Leishman, Peter  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Soucy, Timothy  
Wolf, Terry

Baroody, Benjamin  
Cornell, Patricia  
Donovan, Daniel  
Hansberry, Daniel  
Long, Patrick  
Ober, Lynne  
Proulx, Mark  
Shaw, Barbara  
Sullivan, Daniel

Brown, Pamela  
Cote, David  
Gorman, Mary  
Harvey, Suzanne  
Mangipudi, Latha  
Ober, Russell  
Roberts, Carol  
Smith, Timothy  
Vann, Ivy

## MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Hill, Gregory  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

## ROCKINGHAM

Abramson, Max  
Cushing, Robert  
Gordon, Pamela  
Peckham, Michele

Berrien, Skip  
DiFranco, Debbie  
Heffron, Frank  
Simpson, Alexis

Borden, David  
Duarte, Joe  
McBeath, Rebecca  
Ward, Gerald

Cahill, Michael  
Francese, Paula  
Pantelakos, Laura



**STRAFFORD**

Baber, William  
Horrigan, Timothy  
Southworth, Thomas  
Wall, Janet

Bixby, Peter  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Burton, Wayne  
Schmidt, Peter  
Sprague, Dale

Cilley, Jacalyn  
Smith, Marjorie  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gottling, Suzanne

Grenier, James

and the majority committee report was adopted.

**HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Coffey for Municipal and County Government. This bill in its original form seeks to eliminate a penalty that is imposed when the former owner of a tax-deeded property seeks to repurchase their property during a three-year window from the date of the tax deeding. The present penalty being addressed is 15% of the equalized property, which is added to all interest, fees, taxes, administrative, maintenance and legal costs. It also changed the time frame from 15 to 30 days for a former owner or lienholder to respond with intent to repurchase the property, if the municipality intended to sell the property within the three-year window. After committee discussion, the bill was amended to reduce the penalty to 10% and eliminate it totally if the property was a primary residence and was being repurchased by the former owner. The proposed 30-day window for repurchase remains in the amendment. Vote 10-5.

**Amendment (0522h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Real Estate Tax Liens; Repurchase by Former Owner. Amend RSA 80:89, II to read as follows:

II. Within 30 days after the notice required by paragraph I, or if no such notice is received, at any time within 3 years after the date of recording the tax deed, any former owner of the property may give notice by certified mail, return receipt requested, of intent to repurchase the property from the municipality, and stating that such owner is ready, willing, and able to pay all back taxes, interest, costs and penalty, as defined in RSA 80:90, *except that if the property is the former owner's principal residence, or was the former owner's principal residence at the time of execution of the tax deed under RSA 80:76, the additional penalty under RSA 80:90, I(f) shall not apply.* If all such back taxes, interest, costs and penalty have not been actually tendered within [15] 30 days of such notice of intent to repurchase, the municipality may proceed with its offering and dispose of the property without any interest by the former owner.

2 Real Estate Tax Liens; Definitions; Penalty. Amend RSA 80:90, I(f) to read as follows:

(f) An additional penalty equal in amount to [15] 10 percent of the assessed value of the property as of the date of the tax deed, adjusted by the equalization ratio for the year of the assessment.

3 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill extends the time for a former owner to pay the costs of repurchasing a tax deeded property from the town. The bill also reduces the penalty charge added to such costs and exempts the penalty charge for certain owners.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1382**, relative to the referendum procedure for public water systems. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Catherine Cheney for the Majority of Municipal and County Government. The intent of the bill is to change the requirement for the number of signatures needed to place the question on the ballot of whether communities served by a water system would want to add fluoride to the drinking water or not. The current law sets the number of signatures required to 10% of the number of registered voters in each community served by the water system. For Manchester, where they serve Bedford, Hooksett and Auburn, that would be well over 7,000 signatures. The change would be to have the number of signatures required to be at 20% of the voters voting in the last municipal election. For

Manchester the new requirement for the petition signatures would mean well over 5,000 signatures would need to be collected. In other communities such as Dover, the count goes from over 2,000 to over 800 signatures, in Raymond from over 600 to over 150 signatures, in Rochester from over 2,000 to over 800, in New Boston from over 380 to over 200, in Portsmouth from over 1400 to over 800. This just changes the number of petition signatures required to place the question on the ballot for all communities served by the water system to choose whether to add fluoride to the drinking water or not. Vote 12-4.

Rep. Jane Beaulieu for the Minority of Municipal and County Government. This bill will decrease the number of signatures to pass a petition for a ballot question regarding public water systems and fluoridation. The minority believes the number of signatures should not be reduced and that there is no imperative to change the rules surrounding community water fluoridation. The imperative should be on us as a state to increase public awareness of the benefits of water fluoridation. Majority committee report adopted and ordered to third reading.

**HB 1401**, relative to public libraries. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Patricia Cornell for the Majority of Municipal and County Government. This bill would require all libraries to appoint a library director with a term of one year in place of a librarian and added wording to the reasons for the removal of library employees. The majority of the committee felt that this was an unnecessary bill that addresses policy issues that are not a problem for most of the over 230 New Hampshire public libraries. There are vast differences between libraries, small and large, town and city, and all have the ability to pass policies that fit their individual needs. Vote 12-4.

Rep. David Bickford for the Minority of Municipal and County Government. This bill's primary purpose was to add, "or documented violations of the library's personal policies" to the list of reasons for cause to dismiss an employee. There was evidence that the cost of dismissal without this has cost towns tens of thousands of dollars. The New Hampshire Library Trustees Association favored this bill. Majority committee report adopted.

**HB 1455**, relative to membership of a municipal budget committee. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Bickford for the Majority of Municipal and County Government. This bill removes the requirement that a municipal budget committee have a resident of a village district as a member. Since residents of a village district are also residents of the municipality, a seat on the budget committee is already available to any resident running for election. Having a requirement that a small area of a community have a seat on a budget committee representing the entire community appears to fly in the face of equal representation. The committee felt this bill had merit. The amendment corrected a missed reference to village district in the bill as introduced and made no change to the intent of the bill. Vote 11-3.

Rep. Clyde Carson for the Minority of Municipal and County Government. This bill as amended solves one problem, but creates another. There are municipalities with village districts, where village district membership on the municipal budget committee is desired by the village district and the process works well. If this bill passes, this process will no longer be allowed. The option for someone from the village district to run for the municipal budget committee is no guarantee that the person would be elected, nor is it a guarantee that a person from the village district, if elected, would represent the desire of the district commissioners.

**Majority Amendment (0644h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the application of the municipal budget law to village districts wholly within a town.

Amend the bill by replacing all after section 1 with the following:

2 Municipal Budget Law; Application. Amend RSA 32:2 to read as follows:

32:2 Application. RSA 32:1-13, shall apply to all towns, school districts, cooperative school districts, village districts, municipal economic development and revitalization districts created under RSA 162-K, and any other municipal entities, including those created pursuant to RSA 53-A or 53-B, which adopt their budgets at an annual meeting of their voters, except RSA 32:5-b, which shall apply only in those towns or districts adopting that section pursuant to RSA 32:5-c. RSA

32:14-23, concerning budget committees, shall apply only in those towns or districts adopting that subdivision pursuant to RSA 32:14, I, and shall apply automatically in school districts [~~or village districts~~] located wholly within towns adopting that subdivision.

3 Municipal Budget Law; Duties and Authority of the Budget Committee. Amend RSA 32:16, I to read as follows:

I. To prepare the budget as provided in RSA 32:5, and if authorized under RSA 40:14-b, a default budget under RSA 40:13, IX(b) for submission to each annual or special meeting of the voters of the municipality, and, if the municipality is a town, the budgets of any school district [~~or village district~~] wholly within the town, unless the warrant for such meeting does not propose any appropriation.

4 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill deletes village districts that are wholly within a town from provisions of the municipal budget law.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**HB 1500**, relative to default budgets for the purpose of setting tax rates. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Coffey for the Majority of Municipal and County Government. This bill directs the Department of Revenue Administration (DRA) to review all default budgets in official ballot towns, school districts and village districts for compliance with RSA 40:13, X. A compliant default budget approved by the DRA would then be necessary for the setting of the tax rate. A bipartisan majority of the committee believes that this procedure would place a significant responsibility on the DRA that they have indicated they are not prepared to undertake and remove local control from the process. Vote 12-4.

Rep. Keith Ammon for the Minority of Municipal and County Government. The Department of Revenue Administration (DRA) provides oversight on budgets adopted at regular town meetings as well as proposed budgets of SB2 towns and school boards, but seems to provide zero oversight on SB2 default budgets, which could very well become the actual budget if voters reject the proposed budget. Default budgets are supposed to be calculated according to a formula in state statute. This simple bill would 1) add a reporting requirement for SB2 towns and school districts to send their default budget calculations to the DRA (as they are already required to do) with their proposed budget, and 2) require the DRA to ensure all "appropriations, reductions, increases to a default budget comply" with current statute, the same way they already ensure "all calculations are correct" with proposed budgets. The main argument against this bill is that we shouldn't add a task to a town or school administrator's workload, or to the DRA's workload, which appears to be an argument against transparent and accountable government.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Carol McGuire requested a roll call; sufficiently seconded.

**YEAS 207 NAYS 126**

#### YEAS - 207

##### BELKNAP

Dumais, Russell  
Vadney, Herbert

Fields, Dennis

Flanders, Donald

Gallagher, Brian

##### CARROLL

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

##### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Tilton, Benjamin

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie  
Weber, Lucy

Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sterling, Franklin

**COOS**

Fothergill, John  
Tholl, John

Frobург, Alethea  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Ladd, Rick  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Gionet, Edmond  
Maes, Kevin  
Smith, Suzanne

Brown, Duane  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Cote, David  
Gagne, Larry  
Haefner, Robert  
Heath, Mary  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Soucy, Timothy  
Williams, Kermit

Balcom, John  
Coffey, James  
Edwards, Elizabeth  
Gidge, Kenneth  
Halstead, Carolyn  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
Ober, Lynne  
Porter, Marjorie  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Daniel  
Wolf, Terry

Belanger, James  
Cohen, Alan  
Flanagan, Jack  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Smith, Timothy  
Vann, Ivy

Biggie, Barbara  
Cornell, Patricia  
Freitas, Mary  
Guerette, C. Lee  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
Martel, Andre  
Peterson, Ken  
Roberts, Carol  
Shattuck, Gilman  
Snow, Kendall  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
Gile, Mary  
Luneau, David  
Patten, Dick  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Henle, Paul  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas

Bradley, Paula  
Ebel, Karen  
Kenison, Linda  
Moffett, Howard  
Rice, Chip  
Shurtliff, Stephen  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Ferrante, Beverly  
Heffron, Frank  
Katsakiores, Phyllis  
Matthews, Carolyn  
Pantelakos, Laura  
Thomas, Douglas  
Ward, Joanne

Azarian, Gary  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Doucette, Fred  
Francesse, Paula  
Hoelzel, Kathleen  
Kolodziej, Walter  
McBeath, Rebecca  
Peckham, Michele  
Tilton, Rio  
Webb, James

Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Duarte, Joe  
Gordon, Pamela  
Introne, Robert  
Lovejoy, Patricia  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
True, Chris  
Welch, David

Bush, Carol  
Chase, Francis  
Devine, James  
Elliott, Robert  
Griffin, Mary  
Kappler, Lawrence  
Major, Norman  
O'Connor, John  
Simpson, Alexis  
Ward, Gerald  
Woitkun, Steven

**STRAFFORD**

Baber, William  
DiSesa, Len  
Pitre, Joseph  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
Gray, James  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale

Burton, Wayne  
Kaen, Naida  
Smith, Marjorie  
Stevens, Audrey

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

## SULLIVAN

## NAYS - 126

## BELKNAP

Aldrich, Glen  
LeBreche, Shari  
Tilton, Franklin

Fraser, Valerie  
Russell, David

Howard, Jr., Raymond  
Spanos, Peter

Hurt, George  
Sylvia, Michael

## CARROLL

Avellani, Lino  
Wright, Ted

Comeau, Ed

McCarthy, Frank

Parker, Harold

## CHESHIRE

McConnell, James

Roberts, Kris

## COOS

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

## GRAFTON

Bailey, Brad  
Ingbreton, Paul

Darrow, Stephen  
Johnson, Eric

Hennessey, Erin

Hull, Robert

## HILLSBOROUGH

Adams, Christopher  
Boehm, Ralph  
Christie, Rick  
Eastman, Eric  
Fromuth, Bart  
Hansen, Peter  
McCarthy, Peggy  
Murphy, Keith  
Parison, James  
Schleien, Eric  
Takesian, Charlene

Ammon, Keith  
Burt, John  
Danielson, David  
Edelblut, Frank  
Gorman, Mary  
Hogan, Edith  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Simmons, Tammy  
Twombly, Timothy

Barody, Benjamin  
Byron, Frank  
DiSilvestro, Linda  
Estevez, Eric  
Gould, Linda  
Lachance, Joseph  
Moore, Josh  
Ober, Russell  
Rice, Kimberly  
Sullivan, Victoria  
Ulery, Jordan

Barry, Richard  
Christiansen, Lars  
Donovan, Daniel  
Ferreira, Elizabeth  
Griffin, Barbara  
Marston, Dick  
Murotake, David  
Ohm, Bill  
Sanborn, Laurie  
Sweeney, Shawn

## MERRIMACK

Brewster, Michael  
Hoell, J.R.  
Kuch, Bill  
McGuire, Carol

French, Barbara  
Horn, Werner  
Long, Douglas  
McGuire, Dan

French, Harold  
Karrick, David  
Marple, Richard  
Parent, Jason

Hill, Gregory  
Kidder, David  
Martin, John  
Seaworth, Brian

## ROCKINGHAM

Abramson, Max  
Borden, David  
Emerick, J. Tracy  
Hodgdon, Bruce  
Osborne, Jason  
Spillane, James  
Tucker, Pamela

Baldasaro, Alfred  
Chirichiello, Brian  
Gannon, William  
Itse, Daniel  
Potucek, John  
Sweeney, Joe  
Vose, Michael

Barnes, Arthur  
Cook, Allen  
Green, Dennis  
McKinney, Betsy  
Rice, Frederick  
Sytek, John  
Weyler, Kenneth

Bates, David  
Dean-Bailey, Yvonne  
Harris, Jeffrey  
Milz, David  
Schroadter, Adam  
Tamburello, Daniel

## STRAFFORD

Beaudoin, Steven  
Groen, Warren  
Leeman, Don

Bickford, David  
Hannon, Joseph  
Mullen, John

Cheney, Catherine  
Jones, Laura  
Turcotte, Leonard

Graham, Robert  
Kaczynski, Jr., Thomas  
Wuelper, Kurt

## SULLIVAN

Cloutier, John                      Laware, Thomas                      Rollins, Skip  
and the majority committee report was adopted.

**HB 1508**, allowing public libraries to run certain privacy software. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for the Majority of Municipal and County Government. This bill, as amended, makes it clear that libraries in New Hampshire have the prerogative to run software used to protect privacy on the Internet. The amendment eliminated a provision in the original bill that required written notice to persons prior to records relative to use of cryptographic privacy software being given to a government agency. Internet privacy in the digital age is fundamental to the sacred right of free speech; this includes the right to open inquiry without having the subject of one's interest examined or scrutinized by others, including governments, corporations, or bad actors. Librarians have historically been very sensitive to the issue of patron privacy. The American Library Association has protected and upheld patron privacy as one of their core values since 1939. This bill does not mandate that libraries run privacy software but simply clarifies their ability to do so. Much of the software is free and open source and costs pennies a month to run if it costs anything. The American Civil Liberties Union of NH testified in favor of this bill. Vote 9-6.

Rep. Patricia Cornell for the Minority of Municipal and County Government. This bill would allow libraries to run software to protect the privacy of patrons using their Internet connections. Libraries already have this authority and are adamant about protecting patron privacy making this law unnecessary.

### Majority Amendment (0625h)

Amend RSA 202-A:26 as inserted by section 2 of the bill by replacing it with the following:

202-A:26 Cryptographic Privacy Software. Public libraries may allow the installation and use of cryptographic privacy platforms on public library computers for library patrons use. Cryptographic privacy software shall include Tor or other privacy software that encrypts user's information to protect it from surveillance or collection. Public libraries may also support infrastructure for cryptographic software that helps to promote a free and open Internet, such as running Tor relays.  
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 268 members having voted in the affirmative, and 62 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 1678-FN**, relative to the information statement contained on a property tax bill. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Franklin Sterling for the Majority of Municipal and County Government. The purpose of this bill is to add additional language to appear on all property tax bills informing taxpayers of exemptions, credits or abatements that may be available to them to lower their assessment or total tax due. The committee is of the opinion that there is sufficient information on property tax bills currently. Vote 13-3. Rep. Catherine Cheney for the Minority of Municipal and County Government. Our committee had a similar bill last year. This bill would add language pertaining to mistakes or questions of value to the list of existing criteria to clarify circumstances whereby an exemption or abatement may be sought. Though there was testimony that it would cost too much, there was also testimony that it would not cost much at all to add a few words. We felt it would help create greater awareness for the taxpayers. Majority committee report adopted.

### (Speaker Jasper in the Chair)

**HB 1349**, relative to the location of the Merrimack county superior court. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark McConkey for the Majority of Public Works and Highways. The 2015 Capital Budget approved \$16.6 million for the construction of a new Merrimack County Superior Court facility on Hazen Drive. Subsequent to that action the city of Concord and Merrimack County made another last minute attempt to move the approved location to the current site of the Merrimack County Superior Court. This new proposal would have Merrimack County constructing the court facility and upon completion selling it to the state for \$15.7 million. Since the approval of the Capital Budget work has continued on building the facility on Hazen Drive, including choosing an architectural firm to work

on the project. Newly refined figures show an estimated cost for the state to construct the facility to be \$14.5 million. Even taking into account the factors of lost time dealing with this bill and the distinct possibility of losing a construction season, the estimated savings to the state over the county plan would be in \$700,000 range. While great strides were made to have a firm proposal for the committee to review, all we have is the amendment before you which stipulates the state's position, but there is nothing signed between the state and the county even on these issues and testimony was given that there was more that had to be in any agreement. Additionally, the committee had asked that the residential neighbors be consulted about the proposed location and work schedules and that was not done. There was also concern that should there be cost overruns the county delegation would have to appropriate the funds and if that did not happen, the courthouse would sit substantially complete perhaps, but the state could not buy it. The Merrimack County Superior Court issue has been before the legislature for many years and the committee and legislature has bent over backwards and been given ample opportunity to locate a facility downtown. Construction of a new facility has been and still continues to be of critical importance and the bipartisan majority of the committee is unwilling to risk further delays with approving legislation which still has many unanswered questions. Vote 10-6. Rep. Mario Ratzki for the Minority of Public Works and Highways. This bill, as amended, provides a win-win opportunity for the state and our capital city of Concord. The amendment will make the county responsible for the construction of the Merrimack County courthouse downtown location. It also guarantees that the state will not be responsible for cost overruns. \$15.7 million is allocated to the county. This reflects a saving of \$900,000 from the original capital budget allocation. The city of Concord, as well as the bipartisan Merrimack County delegation supports the downtown location. The alternate location of Hazen Drive presents logistical problems for the county attorney and the county sheriff. Access for the public is also problematic for people who depend on public transportation. A Concord downtown location would enhance the vitality and economic well-being of our capital city. Therefore, we ask the House to vote OTP as amended.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Dan McGuire, Schuett and Shurtleff spoke against.

Reps. Erin Hennessey, Irwin and McConkey spoke in favor.

Rep. Chandler requested a roll call; sufficiently seconded.

## YEAS 126 NAYS 212

### YEAS - 126

#### BELKNAP

Dumais, Russell  
LeBreche, Shari

Flanders, Donald  
Russell, David

Gallagher, Brian  
Spanos, Peter

Hurt, George  
Tilton, Franklin

#### CARROLL

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

#### CHESHIRE

Abbott, Michael  
Sterling, Franklin

Hunt, John  
Tatro, Bruce

McConnell, James

Roberts, Kris

#### COOS

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

Tholl, John

#### GRAFTON

Bailey, Brad  
Ladd, Rick

Brown, Duane  
Shackett, Jeffrey

Hennessey, Erin

Higgins, Patricia

#### HILLSBOROUGH

Adams, Christopher  
Boehm, Ralph

Balcom, John  
Christie, Rick

Barry, Richard  
Coffey, James

Biggie, Barbara  
Gagne, Larry

Gorman, Mary  
Hansen, Peter  
Lachance, Joseph  
Moore, Josh  
Pellegrino, Anthony  
Takesian, Charlene

Gould, Linda  
Hinch, Richard  
LeBrun, Donald  
Ober, Lynne  
Pierce, David  
Twombly, Timothy

Haefner, Robert  
Infantine, William  
Marston, Dick  
Palmer, Barry  
Proulx, Mark  
Wolf, Terry

Halstead, Carolyn  
Jack, Martin  
McCarthy, Peggy  
Parison, James  
Sweeney, Shawn

### MERRIMACK

Hill, Gregory  
Walsh, Thomas

Kuch, Bill

Marple, Richard

Martin, John

### ROCKINGHAM

Abrami, Patrick  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Griffin, Mary  
Introne, Robert  
Matthews, Carolyn  
Osborne, Jason  
Rice, Frederick  
True, Chris

Abramson, Max  
Chase, Francis  
DeSimone, Debra  
Elliott, Robert  
Harris, Jeffrey  
Katsakiores, Phyllis  
Milz, David  
Packard, Sherman  
Schroadter, Adam  
Tucker, Pamela

Barnes, Arthur  
Chirichiello, Brian  
Devine, James  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
Nigrello, Robert  
Potucek, John  
Sweeney, Joe  
Welch, David

Bush, Carol  
Christie, Andrew  
Doucette, Fred  
Green, Dennis  
Hoelzel, Kathleen  
Major, Norman  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Tilton, Rio  
Woitkun, Steven

### STRAFFORD

Berube, Roger  
Gray, James  
Turcotte, Leonard

Bickford, David  
Leeman, Don

Cheney, Catherine  
Mullen, John

Graham, Robert  
Sprague, Dale

### SULLIVAN

Irwin, Virginia  
Smith, Steven

Laware, Thomas

Rollins, Skip

Schmidt, Andrew

### NAYS - 212

### BELKNAP

Aldrich, Glen  
Vadney, Herbert

Fields, Dennis

Howard, Jr., Raymond

Sylvia, Michael

### CARROLL

Butler, Edward

Cordelli, Glenn

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Tilton, Benjamin

Bordenet, John  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Chase, Cynthia  
Mann, John  
Sad, Tara

### COOS

Fothergill, John  
Rideout, Leon

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

### GRAFTON

Abel, Richard  
Ford, Susan  
Ingretson, Paul  
Piper, Wendy  
White, Andrew

Almy, Susan  
Gionet, Edmond  
Johnson, Eric  
Smith, Suzanne

Cooney, Mary  
Hennessey, Martha  
Maes, Kevin  
Sykes, George

Darrow, Stephen  
Hull, Robert  
Massimilla, Linda  
Townsend, Charles



**HILLSBOROUGH**

Ammon, Keith  
 Belanger, James  
 Christensen, Chris  
 Cote, David  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Goley, Jeffrey  
 Harvey, Suzanne  
 Hopper, Gary  
 Long, Patrick  
 McLean, Mark  
 Notter, Jeanine  
 Porter, Marjorie  
 Rouillard, Claire  
 Shattuck, Gilman  
 Smith, Timothy  
 Sullivan, Victoria  
 Williams, Kermit

Backus, Robert  
 Brown, Pamela  
 Christiansen, Lars  
 Danielson, David  
 Edelblut, Frank  
 Freitas, Mary  
 Griffin, Barbara  
 Heath, Mary  
 Judy, Jean  
 Mangipudi, Latha  
 McNamara, Richard  
 Ober, Russell  
 Rice, Kimberly  
 Rowe, Robert  
 Shaw, Barbara  
 Snow, Kendall  
 Ulery, Jordan

Baroody, Benjamin  
 Burt, John  
 Cohen, Alan  
 DiSilvestro, Linda  
 Edwards, Elizabeth  
 Fromuth, Bart  
 Guerette, C. Lee  
 Herbert, Christopher  
 Kurk, Neal  
 Manley, Jonathan  
 Murotake, David  
 Ohm, Bill  
 Roberts, Carol  
 Sanborn, Laurie  
 Simmons, Tammy  
 Soucy, Timothy  
 Vann, Ivy

Beaulieu, Jane  
 Byron, Frank  
 Cornell, Patricia  
 Donovan, Daniel  
 Estevez, Eric  
 Gidge, Kenneth  
 Hansberry, Daniel  
 Hogan, Edith  
 Leishman, Peter  
 Martel, Andre  
 Murphy, Keith  
 Peterson, Ken  
 Rosenwald, Cindy  
 Schleien, Eric  
 Smith, Gregory  
 Sullivan, Daniel  
 Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 Frazer, June  
 Henle, Paul  
 Kenison, Linda  
 Luneau, David  
 Moffett, Howard  
 Ratzki, Mario  
 Schuett, Dianne  
 Wallner, Mary Jane

Bartlett, Christy  
 Deloge, Helen  
 French, Barbara  
 Hoell, J.R.  
 Kidder, David  
 MacKay, James  
 Myler, Mel  
 Rice, Chip  
 Seaworth, Brian  
 Wheeler, Deborah

Bradley, Paula  
 Doherty, David  
 French, Harold  
 Horn, Werner  
 Kotowski, Frank  
 McGuire, Carol  
 Parent, Jason  
 Rogers, Katherine  
 Shurtleff, Stephen

Brewster, Michael  
 Ebel, Karen  
 Gile, Mary  
 Karrick, David  
 Long, Douglas  
 McGuire, Dan  
 Patten, Dick  
 Saunderson, George  
 Turcotte, Alan

**ROCKINGHAM**

Azarian, Gary  
 Borden, David  
 Cushing, Robert  
 Francese, Paula  
 Kappler, Lawrence  
 Pantelakos, Laura  
 Sytek, John  
 Ward, Gerald

Baldasaro, Alfred  
 Cahill, Michael  
 DiFranco, Debbie  
 Gordon, Pamela  
 Lovejoy, Patricia  
 Peckham, Michele  
 Tamburello, Daniel  
 Ward, Joanne

Bates, David  
 Cali-Pitts, Jacqueline  
 Emerick, J. Tracy  
 Heffron, Frank  
 McBeath, Rebecca  
 Simpson, Alexis  
 Thomas, Douglas  
 Webb, James

Berrien, Skip  
 Cook, Allen  
 Ferrante, Beverly  
 Itse, Daniel  
 McKinney, Betsy  
 Spillane, James  
 Vose, Michael  
 Weyler, Kenneth

**STRAFFORD**

Baber, William  
 DiSesa, Len  
 Jones, Laura  
 Rollo, Deanna  
 Spang, Judith  
 Wuelper, Kurt

Beaudoin, Steven  
 Groen, Warren  
 Kaczynski, Jr., Thomas  
 Schmidt, Peter  
 Stevens, Audrey

Bixby, Peter  
 Hannon, Joseph  
 Kaen, Naida  
 Smith, Marjorie  
 Wall, Janet

Burton, Wayne  
 Horrigan, Timothy  
 Pitre, Joseph  
 Southworth, Thomas  
 Ward, Kenneth

**SULLIVAN**

Cloutier, John  
 Grenier, James

Converse, Larry  
 Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report failed.

Rep. Schuett moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (0847h).

**Minority Amendment (0847h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the Merrimack county superior court.

Amend the bill by replacing all after the enacting clause with the following:

1 2015 Capital Budget; Merrimack County Superior Court; Location. Amend 2015, 220:1, II, D to read as follows:

(D) Court Facilities

(1) Merrimack County Superior Court

New Courthouse [\*]

[+6,600,000]**\$15,700,000**

(2) Hampton Circuit Court, Architectural/Engineering

300,000

(3) Milford Circuit Court, Architectural/Engineering

255,500

\* The location for the siting of the Merrimack county superior court facility shall be in Concord on ~~[state lands adjacent to the supreme court]~~ **a parcel appropriate to contain the court building and associated parking.**

2 2015 Capital Budget; Merrimack County Superior Court; New Courthouse. The appropriation made in 2015, 220:1, II, D, 1 shall be subject to the following:

I. Notwithstanding any other provision of law, the state, through the department of administrative services, shall be permitted to enter into an agreement to acquire property from Merrimack county on North Main Street in the city of Concord, containing a new courthouse and no less than 150 dedicated parking spaces, by warranty deed, for no more than \$15,700,000.

II. The courthouse shall be constructed in compliance with the current division of public works design and construction standards and the minimum standards for all courts, adopted by the New Hampshire court accreditation commission, and at a minimum, shall satisfy the Merrimack County Courthouse Design and Space Planning study by SMRT, Inc., dated May 29, 2014.

III. The state shall have the right to review and reject the design plans and specifications provided by the county, or its designee, at regular intervals agreed to by the state and county.

IV. The price of the new courthouse shall include compensation to the department of administrative services, or its designee, in the amount of \$175,000 to support 2 full-time clerk of the works positions for the project, \$25,000 to support an on-call architect for the project, \$25,000 to pay the current architect, SMRT, Inc., for its work on the project, and \$350,000 for furniture and equipment. Said amounts shall be held back from the final purchase price paid by the state to the county.

V. Until the new courthouse is completed and the existing courthouse is fully renovated, the clerk of the Merrimack superior court, or designee, shall have the authority to order a stop to any and all construction activities that, in the opinion of the clerk, interfere with the regular operation of the court. The county shall be solely responsible for any costs and delays associated with stop work orders issued pursuant to the clerk's authority.

VI. Merrimack county shall provide a property description and title history for the property to be transferred to the state within 90 days of the execution of an agreement. The county shall be responsible for all surveys, subdivision approvals, and all other approvals necessary to effectuate the transfer of the property from the county to the state.

VII. The plans and specifications for this project shall be reviewed and approved by the state fire marshal.

VIII. The state shall have the right to terminate the agreement without penalty prior to the state's acceptance of the final design documents and specifications; provided that the state shall not be arbitrary or capricious in exercising such right, and shall act in accordance with the implied covenant of good faith and fair dealing.

IX. During the construction of the courthouse and associated activities, the county shall provide the state with full access to the construction site and project meetings and shall allow the state the opportunity to review and reject any work performed.

X. The county shall provide a one-year warranty on the work performed related to the courthouse and shall transfer all product warranties to the state.

XI. The state's payment obligations under the agreement shall be as follows: 95 percent of the purchase price set forth in paragraph I, less compensation to the state set forth in paragraph IV, shall be due to the county on the date of substantial completion of the entire project, including the demolition of the so-called registry building. The remaining 5 percent of the purchase price shall be due at the time of the state's final acceptance of the project. For purposes of this section, the date of substantial completion shall mean the date on which the county conveys its property to the state.

XII. The county shall defend and indemnify the state from any and all claims arising out of or alleged to have arisen out of the construction project.

XIII. In the event that the state and county do not come to an agreement for the purchase of the courthouse and property or in the event that the agreement is terminated prior to acceptance of the final design, the state may use this appropriation to construct the courthouse facility on state lands next to the supreme court.

3 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill reduces a capital budget appropriation for a new courthouse for the Merrimack county superior court and eliminates the capital budget requirement that the Merrimack county superior court be sited on state lands adjacent to the supreme court.

The bill also establishes certain requirements for the acquisition of courthouse property and construction of the courthouse.

Minority committee amendment adopted.

Minority committee report adopted and ordered to third reading.

#### **HB 2016, relative to the state 10-year transportation improvement program. OUGHT TO PASS WITH AMENDMENT.**

Rep. Gene Chandler for Public Works and Highways. HB 2016 is the Ten-Year Transportation Improvement Program (TYP) for the State of New Hampshire, covering the period from 2017-2026. The plan is fully financially constrained at a total of \$3.74 billion and contains projects in the following categories and estimated amounts: highway funding - \$2.68 billion; turnpike improvements - \$461 million; airports - \$260 million; rail - \$10 million; and federal transit - \$324 million. The TYP was vetted with input from the municipalities via the regional planning commissions and with the public through a series of 16 GACIT (Governor's Advisory Commission on Intermodal Transportation) public hearings. GACIT consists of the Governor's Executive Council and the Commissioner of the Department of Transportation. GACIT submitted their proposal to the Governor, and subsequently the Governor submitted her proposal to the Public Works and Highways Committee, which held several hearings and work sessions on the TYP. The TYP includes a focus on pavement preservation, red listed bridges and bridge preservation; pledges work on rural roads and bridges; includes the completion of I-93 from Salem to Manchester and provides funding for Exit 4A in Londonderry. The plan includes a heightened financial constraint for an increased level of accountability and predictability in program delivery. The plan includes an assumed inflation factor of 3% and relies on the utilization of turnpike toll credits for the state fund share instead of a cash contribution for federally funded projects. An amendment was proposed to remove the \$4 million rail study money from the plan, but the vote was 10-10 whereby the project remained in the plan. The amendment to the bill/plan deals with authorizing the further issuance of GARVEE bonds for the reconstruction/rehabilitation of two Connecticut River bridges, one on I-89 and one on Route 119. Several projects that were previously unfunded in previous ten-year plans include continuing projects on I-89 and I-93 in Concord and Exits 6 and 7 in Manchester, including interchanges. The amendment also addresses increased funds for improvements to the central turnpike and enhanced study of Exit 10 on the Spaulding Turnpike; approval for a new loan financing structure under TIFA C Transportation Infrastructure Finance and Innovation Act to complete the widening of I-93 from Salem to Manchester. The loan will be structured to require revenue from SB 367 to be used for improvements to approximately 1160 miles of rural roads and approximately 23 red listed bridges during the first nine years of the loan. These improvements are over and above the normal programs for these areas. Subsequent to the ninth year the funds collected for SB 367 will be used to make interest and principle payments on the loan. Also included is language to provide for additional funding for TIGER grants should any be available. Since the Department anticipates at least \$9 million of savings due to the light winter, the committee unanimously agreed to allocate these savings to increase by \$2.5 million the Capital Equipment Program, 85% of which is to be used for large trucks and heavy equipment, and 15% for light trucks and passenger vehicles; \$2.5 million of excess funds to bolster the municipal state aid bridge program; and \$4 million for the highway betterment account for bridge work and resurfacing throughout the state's highway districts. The final portion of the amendment deals with a project in Littleton whereby the state pays for 2/3 of the project and the town pays for 1/3. There is still money left in this account after approval of this project should any town wish to avail themselves of these funds. These are projects on state roads that the towns feel are important enough to use town funds as a 1/3 match. Vote 18-2.

**Amendment (0903h)**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 12:

2 Issuance of Revenue Bonds. Amend RSA 228-A:2 to read as follows:

228-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as "federal highway grant anticipation bonds." The bonds may be issued from time to time for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border, the replacement of the Sarah Mildred Long Bridge in Portsmouth, New Hampshire, and any other federally aided highway project hereafter authorized by the general court to be financed under this chapter. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided therefor under this chapter. The issuing of bonds shall be contingent upon the availability of sufficient anticipated federal aid over the term of the bonds. The bonds shall be issued by the treasurer in such amounts as the fiscal committee of the general court and the governor and council shall determine, and shall not exceed \$490,000,000. Debt service for federal highway grant anticipation bonds (GARVEE bonds) for the projects shall be paid from a portion of future federal funds. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate, or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 15 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be sold in such manner, either at public or private sale, for such price, including above or below par value, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine. *The state may further issue GARVEE bonds for the purpose of financing the project costs related to the replacement and/or rehabilitation of 2 Connecticut river bridges, located in Lebanon, New Hampshire and Hinsdale, New Hampshire, pursuant to the issuance process in this paragraph.*

3 Turnpike System; Authority Granted. Amend RSA 237:2, VII(b) and (c) to read as follows:

(b) Plan [and], engineer, *and construct* improvements [to], *and acquire land as necessary* for the central New Hampshire turnpike, including, but not limited to the addition of a traffic lane or lanes in each direction from the junction of interstate 89 in the city of Concord to the northerly expansion joint of the Interstate 93 bridge over Loudon Road and N.H. Route 9 (bridge no. 163/106).

(c) Plan [and], engineer, *and construct* improvements [to], *and acquire land as necessary* for the central New Hampshire turnpike, including, but not limited to the addition of a traffic lane or lanes in each direction from exit 6 to exit 7 in the city of Manchester, as well as the reconstruction of the exit 6 and exit 7 interchanges.

4 Turnpike System; Funds Provided. Amend RSA 237:7, I(h) to read as follows:

(h) Improvements to central New Hampshire turnpike.

RSA 237:2, IV(h), VII, VII(b), VII(c), IX.	[ <del>\$574,900,000</del> ]	<b>\$697,000,000</b>
--------------------------------------------	------------------------------	----------------------

5 Turnpike System; Funds Provided. Amend RSA 237:7, I(j) to read as follows:

(j) Study of exit 10 on Spaulding turnpike.

RSA 237:2 II-a.	[ <del>\$1,100,000</del> ]	<b>\$3,500,000</b>
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6 Department of Transportation; Transportation Infrastructure Finance and Innovation Act. In accordance with RSA 6:13-d, the department of transportation anticipates securing a loan of \$200,000,000 through the federal Transportation Infrastructure Finance and Innovation Act (TIFIA), 23 U.S.C. sections 601-609, to complete the widening of Interstate 93 from Salem to Manchester. It is anticipated that the loan will be structured to require revenue collected under 2014, 17 (SB 367-FN-A), to be used for the improvement of approximately 1,160 miles of rural roads (\$12,000,000 per year) and approximately 23 red list bridges (\$8,000,000 per year) during the first 9 years of the loan. Subsequent to the ninth year, funds collected under 2014, 17 shall be used to make interest and principal payments on the loan. Consequently, the department will no longer be able to invest in rural roads and red list bridges at the same levels. The state 10-year transportation improvement plan sets forth projects to improve roads and bridges in accordance with the conditions of the loan.

7 Department of Transportation; Grants. If the department of transportation or any municipality is successful in obtaining additional grant funding (such as TIGER grants) for projects in the state 10-year transportation improvement plan, the department may modify and/or advance project funding, as practical, for such projects in order to leverage these additional grant funds.

8 Department of Transportation; Purchase of Fleet Vehicles. The department of transportation may expend up to \$2,500,000 in excess funds from the winter maintenance accounting unit (2928) from fiscal year 2016 for the purchase of fleet vehicles. Eighty-five percent of said funds shall be appropriated for trucks and heavy equipment. Fifteen percent of said funds shall be appropriated for light trucks and passenger vehicles. Said funds shall be appropriated from the undesignated highway surplus account and shall be continually appropriated and nonlapsing.

9 Department of Transportation; Expenditure for State Bridge Aid Program. The department of transportation may expend up to \$2,500,000 in excess funds from the winter maintenance accounting unit (2928) from fiscal year 2016 for the state bridge aid program under RSA 234:5. Said funds shall be appropriated from the undesignated highway surplus account and shall be continually appropriated and nonlapsing.

10 Department of Transportation; Highway Bridge and Betterment. Pursuant to the intent of 2014, 17 (SB 367-FN-A), excess funds in highway maintenance accounting unit (3007) should be spent on roads and bridges. Notwithstanding any law to the contrary, any lapsing funds up to \$4,000,000 in the highway maintenance accounting unit (3007) from fiscal year 2016 shall be appropriated to the department of transportation from the undesignated highway surplus account and shall be continually appropriated for use in class 400 in accounting unit 8910 for highway bridge and betterment district resurfacing and district rehabilitation programs. Said funds shall be nonlapsing.

11 Department of Transportation: Transfer of Funds: \$200,000 of the undesignated programmatic funds under the State Aid Highway Program (SAH) in 2018 shall be designated to the Littleton Saranac Street project.

Amend the bill by replacing section 12 with the following:

12 Effective Date.

I. Sections 8, 9, and 10 of this act shall take effect July 1, 2016.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Adopts the 10-year transportation improvement plan for 2017-2026.

II. Adds purposes for which the state may issue GARVEE bonds.

III. Modifies funding for projects on the central New Hampshire turnpike and the Spaulding turnpike.

IV. Authorizes the department of transportation to expend certain funds for the purchase of fleet vehicles, for the state bridge aid program, and for highway bridge and betterment district resurfacing and rehabilitation programs.

V. Transfers certain funds under the state aid highway program to the Littleton Saranac Street project.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Kurk offered floor amendment (0941h).

### Floor Amendment (0941h)

Amend the bill by inserting after section 11 the following and renumbering the original section 12 to read as 13:

12 Department of Transportation; Nashua-Manchester-Concord. Funding for the Nashua-Manchester-Concord Capitol Corridor Rail project, project number 40818, is deleted from the "10-year Transportation Improvement Plan 2017-2026 submitted by the Governor to the Legislature Pursuant to RSA 228:99 and RSA 240 of the Laws of New Hampshire."

### AMENDED ANALYSIS

This bill:

I. Adopts the 10-year transportation improvement plan for 2017-2026.

II. Adds purposes for which the state may issue GARVEE bonds.

III. Modifies funding for projects on the central New Hampshire turnpike and the Spaulding turnpike.

IV. Authorizes the department of transportation to expend certain funds for the purchase of fleet vehicles, for the state bridge aid program, and for highway bridge and betterment district resurfacing and rehabilitation programs.

V. Transfers certain funds under the state aid highway program to the Littleton Saranac Street project.

VI. Deletes the Nashua-Manchester-Concord Capitol Corridor Rail project, project number 40818, from the 10-year transportation improvement plan 2017-2026.

Rep. O'Connor spoke in favor.

Rep. Sprague spoke against.

Rep. Chandler yielded to questions.

Rep. Cloutier requested a roll call; sufficiently seconded.

## YEAS 174 NAYS 162

### YEAS - 174

#### BELKNAP

Aldrich, Glen  
Howard, Jr., Raymond  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Tilton, Franklin

Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

Gallagher, Brian  
Spanos, Peter

#### CARROLL

Avellani, Lino  
Cordelli, Glenn  
Nelson, Bill  
Wright, Ted

Buco, Thomas  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

#### CHESHIRE

Hunt, John

McConnell, James

Roberts, Kris

Sterling, Franklin

#### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Tholl, John

#### GRAFTON

Bailey, Brad  
Ingbreton, Paul  
Piper, Wendy

Brown, Duane  
Johnson, Eric  
Shackett, Jeffrey

Hennessey, Erin  
Ladd, Rick

Hull, Robert  
Massimilla, Linda

#### HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara  
Christiansen, Lars  
Edelblut, Frank  
Griffin, Barbara  
Hinch, Richard  
Kurk, Neal  
McLean, Mark  
Ober, Lynne  
Pellegrino, Anthony  
Rowe, Robert  
Sullivan, Victoria  
Wolf, Terry

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Ferreira, Elizabeth  
Haefner, Robert  
Hogan, Edith  
Leishman, Peter  
Moore, Josh  
Ober, Russell  
Peterson, Ken  
Sanborn, Laurie  
Sweeney, Shawn

Balcom, John  
Burt, John  
Coffey, James  
Gagne, Larry  
Halstead, Carolyn  
Hopper, Gary  
Marston, Dick  
Murphy, Keith  
Palmer, Barry  
Rice, Kimberly  
Schleien, Eric  
Takesian, Charlene

Barry, Richard  
Byron, Frank  
Donovan, Daniel  
Gould, Linda  
Hansen, Peter  
Infantine, William  
Martel, Andre  
Notter, Jeanine  
Parison, James  
Rouillard, Claire  
Simmons, Tammy  
Ulery, Jordan

#### MERRIMACK

Brewster, Michael  
Kidder, David  
Martin, John  
Walsh, Thomas

French, Harold  
Kotowski, Frank  
McGuire, Carol

Hill, Gregory  
Kuch, Bill  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Parent, Jason

**ROCKINGHAM**

Abrami, Patrick  
 Bates, David  
 Christie, Andrew  
 Devine, James  
 Ferrante, Beverly  
 Harris, Jeffrey  
 Itse, Daniel  
 Major, Norman  
 Nigrello, Robert  
 Peckham, Michele  
 Spillane, James  
 Thomas, Douglas  
 Vose, Michael  
 Weyler, Kenneth

Abramson, Max  
 Bush, Carol  
 Cook, Allen  
 Duarte, Joe  
 Gannon, William  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 McKinney, Betsy  
 O'Connor, John  
 Potucek, John  
 Sweeney, Joe  
 Tilton, Rio  
 Ward, Joanne

Azarian, Gary  
 Cardon, G. Thomas  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Green, Dennis  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 McMahon, Charles  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 True, Chris  
 Webb, James

Baldasaro, Alfred  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Griffin, Mary  
 Introne, Robert  
 Kolodziej, Walter  
 Milz, David  
 Packard, Sherman  
 Rice, Frederick  
 Tamburello, Daniel  
 Tucker, Pamela  
 Welch, David

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Turcotte, Leonard

Bickford, David  
 Groen, Warren  
 Leeman, Don  
 Wuelper, Kurt

Cheney, Catherine  
 Hannon, Joseph  
 Mullen, John

Graham, Robert  
 Jones, Laura  
 Pitre, Joseph

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS - 162****BELKNAP**

Dumais, Russell

Russell, David

**CARROLL**

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 Mann, John  
 Sad, Tara  
 Weber, Lucy

Ames, Richard  
 Eaton, Daniel  
 Parkhurst, Henry  
 Shepardson, Marjorie

Berch, Paul  
 Johnsen, Gladys  
 Pearson, William  
 Tatro, Bruce

Bordenet, John  
 Ley, Douglas  
 Robertson, Timothy  
 Tilton, Benjamin

**COOS**

Fothergill, John  
 Theberge, Robert

Frobург, Alethea  
 Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
 Ford, Susan  
 Maes, Kevin  
 White, Andrew

Almy, Susan  
 Gionet, Edmond  
 Smith, Suzanne

Cooney, Mary  
 Hennessey, Martha  
 Sykes, George

Darrow, Stephen  
 Higgins, Patricia  
 Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
 Brown, Pamela  
 Cote, David  
 Edwards, Elizabeth  
 Gidge, Kenneth  
 Hansberry, Daniel  
 Jack, Martin

Baroody, Benjamin  
 Christensen, Chris  
 Danielson, David  
 Estevez, Eric  
 Goley, Jeffrey  
 Harvey, Suzanne  
 Jeudy, Jean

Beaulieu, Jane  
 Cohen, Alan  
 DiSilvestro, Linda  
 Flanagan, Jack  
 Gorman, Mary  
 Heath, Mary  
 Lachance, Joseph

Belanger, James  
 Cornell, Patricia  
 Eastman, Eric  
 Freitas, Mary  
 Guerette, C. Lee  
 Herbert, Christopher  
 LeBrun, Donald

Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Snow, Kendall  
Vann, Ivy

Mangipudi, Latha  
Murotake, David  
Proulx, Mark  
Shaw, Barbara  
Soucy, Timothy  
Walsh, Robert

Manley, Jonathan  
Ohm, Bill  
Roberts, Carol  
Smith, Gregory  
Sullivan, Daniel  
Williams, Kermit

McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Smith, Timothy  
Twombly, Timothy

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Horn, Werner  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Karrick, David  
Moffett, Howard  
Rice, Chip  
Seaworth, Brian

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
Myler, Mel  
Rogers, Katherine  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Luneau, David  
Patten, Dick  
Saunderson, George  
Turcotte, Alan

### ROCKINGHAM

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Francese, Paula  
Matthews, Carolyn  
Ward, Gerald

Berrien, Skip  
Chase, Francis  
Gordon, Pamela  
McBeath, Rebecca

Borden, David  
Cushing, Robert  
Heffron, Frank  
Pantelakos, Laura

Cahill, Michael  
DiFranco, Debbie  
Lovejoy, Patricia  
Simpson, Alexis

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Horriggan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

and floor amendment (0941h) was adopted.  
Committee report adopted and ordered to third reading.  
Rep. Seaworth voted Nay and intended to vote Yea.

**HB 1517**, relative to temporary seasonal docks. **REFER FOR INTERIM STUDY.**

Rep. John Mullen for Resources, Recreation and Development. The intent of this bill was to reduce the lot line setback for temporary seasonal docks. The 20-foot setback requirement was originally set forth by administrative rules in 1997 and codified in statute the following year by the legislature in 1998. In 2002, the legislature simplified the process for putting in a seasonal dock by eliminating the need for a permit from the Department of Environmental Services (DES). Instead the property owner had only to notify DES of the installation and certify that certain conditions were met, including the 20-foot setback. Testimony on this bill was presented by a variety of state agencies, including DES and the Department of Safety, as well as other stakeholders including individual owners. A subcommittee explored the many aspects of the setback issue in regards to safety as well as protecting individual property rights. During the executive session on the bill, concerns were brought up about the details of the bill, how its implementation would affect state agencies, and its long-term effect on property owners' rights. After much discussion it was determined that a more thorough examination of the bill was needed. Vote 15-3.  
Committee report adopted.

The House recessed at 12:07 p.m.

### RECESS

The House reconvened at 1:15 p.m.



(Speaker Jasper in the Chair)

**MOTION TO REMOVE FROM THE TABLE**

Rep. Vose moved that **HB 297**, protecting individual customer data from disclosure by a public utility, be removed from the table.  
 Motion adopted.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Vose spoke against.

On a division vote, with 66 members having voted in the affirmative, and 244 in the negative, the majority committee report failed.

Rep. Vose moved the minority committee report of Ought to Pass and offered floor amendment (0295h).

**Floor Amendment (0295h)**

Amend RSA 363:38, II as inserted by section 1 of the bill by replacing it with the following:

II. Service providers shall:

(a) Collect, store, use, and disclose only as much individual customer data as is necessary to accomplish primary purposes.

(b) Use individual customer data solely for primary purposes.

Amend RSA 363:38, V(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Nothing in this section shall preclude a service provider from disclosing a customer's individual data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided that the service provider for contracts entered into after January 1, 2017, has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, use, destruction, modification, or disclosure, and prohibit the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the express consent of the customer.

Rep. Vose spoke in favor and yielded to questions.

Floor amendment (0295h) adopted.

Minority committee report of Ought to Pass with Amendment adopted and ordered to third reading.

**REGULAR CALENDAR CONT'D**

**HB 1104**, relative to electric renewable energy classes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. The bipartisan majority of the committee felt that this bill, which allows hydropower for renewable portfolio standards (RPS) compliance in lieu of developing local renewables, could harm New Hampshire's renewable energy industries which are providing value to our economy, our municipalities, and our ratepayers. The committee heard from the Department of Environmental Services that this bill would promote instability and lack of certainty in the state's renewable portfolio law. The committee also had testimony from the Public Utilities Commission stating that the bill could have the unintended consequence of increasing ratepayer rates due to Federal Energy Regulatory Commission (FERC) Order 1000. The RPS has created and continues to support many jobs in New Hampshire. For example, in the biomass industry, thousands of jobs related to the forests and timber industry have driven an overall economic benefit of over \$173.8 million annually to the state. Vote 14-7.

Rep. David Murotake for the Minority of Science, Technology and Energy. The minority is concerned the rapid increase of Class I renewable energy goals that began in 2015, established in RSA 362-F:3, will result in higher energy costs for consumers given the failed expectations of industrial wind in NH. Class I is the largest of the Renewable Portfolio Standard (RPS) classes and includes a variety of renewable sources, including wind and incremental new production from large hydro put into operation after 1/1/2006. The sharp increase of 0.9% per year in Class I may not be achievable. This bill proposes that electricity providers be allowed to use the production from older large hydro facilities to satisfy their Class I requirements when there is a shortage of Renewable Energy Credits (RECs). Neighboring ISO New England states, like Massachusetts, permit older large hydro, placed into operation after 12/31/1997, to be used to satisfy their Class

1 requirements. New Hampshire cannot use this clean, renewable source under current statute. While emotional testimony claims this legislation will hurt the biomass (wood) industry, expert testimony shows this is untrue. RPS, though complex, has numerous "carve outs," and this legislation leaves all such protections for other classes intact.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Richardson spoke in favor.

Rep. Murotake spoke against and requested a roll call; sufficiently seconded.

## YEAS 210 NAYS 126

### YEAS - 210

#### BELKNAP

Fields, Dennis	Flanders, Donald	Gallagher, Brian	Hurt, George
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#### CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	Wright, Ted	

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Hunt, John	Ley, Douglas	Mann, John
Pearson, William	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

#### COOS

Fothergill, John	Froburg, Alethea	Moynihn, Wayne	Rappaport, Laurence
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

#### GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Duane
Cooney, Mary	Ford, Susan	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

#### HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Belanger, James
Biggie, Barbara	Brown, Pamela	Christensen, Chris	Christiansen, Lars
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Donovan, Daniel	Edwards, Elizabeth	Flanagan, Jack
Freitas, Mary	Gagne, Larry	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Infantine, William
Jack, Martin	Kurk, Neal	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy	Rowe, Robert
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Wolf, Terry		

#### MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey

Karrick, David  
Kuch, Bill  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen

Kenison, Linda  
Long, Douglas  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

Kidder, David  
Luneau, David  
Parent, Jason  
Saunderson, George  
Walsh, Thomas

Kotowski, Frank  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Christie, Andrew  
DiFranco, Debbie  
Gordon, Pamela  
Kolodziej, Walter  
McKinney, Betsy  
Packard, Sherman  
Simpson, Alexis  
Ward, Joanne

Abramson, Max  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Heffron, Frank  
Lovejoy, Patricia  
McMahon, Charles  
Pantelakos, Laura  
Sweeney, Joe  
Webb, James

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Francesse, Paula  
Hoelzel, Kathleen  
Matthews, Carolyn  
Milz, David  
Peckham, Michele  
Sytek, John  
Woitkun, Steven

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Friel, William  
Introne, Robert  
McBeath, Rebecca  
Nigrello, Robert  
Rice, Frederick  
Ward, Gerald

### STRAFFORD

Baber, William  
DiSesa, Len  
Rollo, Deanna  
Spang, Judith  
Wall, Janet

Bickford, David  
Gray, James  
Schmidt, Peter  
Sprague, Dale  
Ward, Kenneth

Bixby, Peter  
Horrigan, Timothy  
Smith, Marjorie  
Stevens, Audrey

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

### SULLIVAN

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

### NAYS - 126

#### BELKNAP

Aldrich, Glen  
LeBreche, Shari  
Tilton, Franklin

Dumais, Russell  
Russell, David  
Vadney, Herbert

Fraser, Valerie  
Spanos, Peter

Howard, Jr., Raymond  
Sylvia, Michael

### CARROLL

Avellani, Lino

McCarthy, Frank

Nelson, Bill

### CHESHIRE

Bordenet, John

Johnsen, Gladys

McConnell, James

Roberts, Kris

### COOS

Hatch, William

Rideout, Leon

### GRAFTON

Darrow, Stephen

Ingbretson, Paul

Johnson, Eric

### HILLSBOROUGH

Adams, Christopher  
Boehm, Ralph  
Christie, Rick  
Estevez, Eric  
Griffin, Barbara  
Hopper, Gary  
McCarthy, Peggy  
Murphy, Keith

Ammon, Keith  
Bouldin, Amanda  
Danielson, David  
Ferreira, Elizabeth  
Halstead, Carolyn  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine

Balcom, John  
Burt, John  
Eastman, Eric  
Gidge, Kenneth  
Hansen, Peter  
LeBrun, Donald  
Moore, Josh  
Ober, Lynne

Barry, Richard  
Byron, Frank  
Edelblut, Frank  
Gould, Linda  
Hogan, Edith  
Marston, Dick  
Murotake, David  
Ober, Russell

Ohm, Bill  
Sanborn, Laurie  
Sullivan, Victoria

Palmer, Barry  
Schleien, Eric  
Twombly, Timothy

Parison, James  
Simmons, Tammy  
Ulery, Jordan

Rouillard, Claire  
Smith, Gregory

### MERRIMACK

Brewster, Michael  
Hoell, J.R.  
McGuire, Carol

French, Barbara  
Horn, Werner  
McGuire, Dan

French, Harold  
Marple, Richard  
Seaworth, Brian

Hill, Gregory  
Martin, John  
Wheeler, Deborah

### ROCKINGHAM

Azarian, Gary  
Chase, Francis  
Duarte, Joe  
Green, Dennis  
Itse, Daniel  
O'Connor, John  
Schroadter, Adam  
Tilton, Rio  
Welch, David

Baldasaro, Alfred  
Chirichiello, Brian  
Emerick, J. Tracy  
Griffin, Mary  
Kappler, Lawrence  
Osborne, Jason  
Spillane, James  
True, Chris  
Weyler, Kenneth

Bates, David  
Cook, Allen  
Ferrante, Beverly  
Harris, Jeffrey  
Katsakiores, Phyllis  
Potucek, John  
Tamburello, Daniel  
Tucker, Pamela

Bush, Carol  
DeSimone, Debra  
Gannon, William  
Hodgdon, Bruce  
Major, Norman  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Vose, Michael

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Berube, Roger  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

DeLemus, Susan  
Jones, Laura  
Pitre, Joseph

### SULLIVAN

Laware, Thomas  
and the majority committee report was adopted.

### **HB 1116, relative to net metering. OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Vadney for Science, Technology and Energy. This bill addresses issues that arise from distributed power generation, such as from rooftop or community solar, and the resale of that energy back into the power grid. This bill includes solutions to the problems of (1) legislative production caps that threaten to shut down a growing New Hampshire industry employing over 750 people, and (2) concerns about reimbursement rates paid for energy sold back into the electric grid. The bill both keeps the jobs in New Hampshire and creates a transition plan that will bring us to a systemic solution for the rate structure, eliminating the need for production caps in the future and addressing equitable treatment between those that install solar and those that choose not to install solar. Vote 19-0.

### **Amendment (0601h)**

Amend the bill by replacing section 1 with the following:

1 Purpose Statement. To meet the objectives of electric industry restructuring pursuant to RSA 374-F, including the overall goal of developing competitive markets and customer choice to reduce costs for all customers, and the purposes of RSA 362-A and RSA 362-F to promote energy independence and local renewable energy resources, the general court finds that it is in the public interest to continue to provide reasonable opportunities for electric customers to invest in and interconnect customer-generator facilities and receive fair compensation for such locally produced power while ensuring costs and benefits are fairly and transparently allocated among all customers. The general court continues to promote a balanced energy policy that supports economic growth and promotes energy diversity, independence, reliability, efficiency, regulatory predictability, environmental benefits, a fair allocation of costs and benefits, and a modern and flexible electric grid that provides benefits for all ratepayers.

Amend RSA 362-A:9, I as inserted by section 3 of the bill by replacing it with the following:

I. Standard tariffs providing for net energy metering shall be made available to eligible customer-generators by each electric distribution utility in conformance with net metering rules adopted and orders issued by the commission. Each net energy metering tariff shall be identical, with respect to rates, rate structure, and charges, to the tariff under which a customer-generator would otherwise take default

generation supply service from the distribution utility. Such tariffs shall be available on a first-come, first-served basis within each electric utility service area under the jurisdiction of the commission until such time as the total rated generating capacity owned or operated by eligible customer-generators totals a number equal to ~~50 megawatts multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by all such utilities as determined by the commission]~~ *100 megawatts, with 50 megawatts of the 100 megawatts allocated to the 4 electric distribution utilities that were subject to the commission's jurisdiction in 2010 multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by those 4 utilities, and 50 megawatts of the 100 megawatts allocated to the state's 3 investor-owned electric distribution utilities, multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by those 3 utilities, all to be determined by the commission and to be utilized by eligible customer-generators located within each such utilities' service territory. Eighty percent of each utility's share of the 50 megawatts shall be apportioned to facilities with a total generating capacity of not more than 100 kilowatts and 20 percent to facilities with a total generating capacity in excess of 100 kilowatts, but no greater than one megawatt. The 50 megawatts of capacity shall be made available to eligible customer-generators until such time as commission approved alternative net metering tariffs approved by the commission become available.* No more than 4 megawatts of such total rated generating capacity shall be from a combined heat and power system as defined in RSA 362-A:1-a, I-d. Amend RSA 362-A:9, XVI-XVIII as inserted by section 5 of the bill by replacing it with the following:

XVI. No later than 3 weeks after the effective date of this paragraph, the commission shall initiate a proceeding to develop new alternative net metering tariffs, which may include other regulatory mechanisms and tariffs for customer-generators, and determine whether and to what extent such tariffs should be limited in their availability within each electric distribution utility's service territory. In developing such alternative tariffs and any limitations in their availability, the commission shall consider: the costs and benefits of customer-generator facilities; an avoidance of unjust and unreasonable cost shifting; rate effects on all customers; alternative rate structures, including time based tariffs pursuant to paragraph VIII; whether there should be a limitation, on the amount of generating capacity eligible for such tariffs; the size of facilities eligible to receive net metering tariffs; timely recovery of lost revenue by the utility using an automatic rate adjustment mechanism; and electric distribution utilities' administrative processes required to implement such tariffs and related regulatory mechanisms. The commission may waive or modify specific size limits and terms and conditions of service for net metering specified in paragraphs I, III, IV, V, and VI that it finds to be just and reasonable in the adoption of alternative tariffs for customer-generators. The commission may approve time and/or size limited pilots of alternative tariffs.

XVII. The commission shall issue an order initially approving or adopting such alternative tariffs, which may be subject to change or adjustment from time to time, within 10 months of the effective date of this paragraph.

XVIII. If any utility reaches any cap for net metering under paragraph I before alternative tariffs are approved or adopted pursuant to paragraph XVII, eligible customer-generators may continue to interconnect under temporary net metering tariffs under the same terms and conditions as net metering under the 100 megawatt cap, except that such customer-generators shall transition to alternative tariffs once they are approved or adopted for their utility pursuant to paragraph XVII. Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1133**, relative to the maximum amount of a customer deposit which may be required under rules of the public utilities commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill seeks to limit the amount of money utilities can require for a security deposit. Utilities typically require a security deposit for new customers and for customers who have fallen behind in paying their bill. Under current Public Utilities Commission rules, utilities can require an amount equal to the two of the three highest bills incurred during the previous 12 months. For venues that heat with electricity, that can amount to as much as \$1,600 to \$1,800. This bill would cap that deposit amount at \$250. While this bill would potentially help some consumers, it would decrease utility revenues for delinquent accounts and those costs would be passed along to other ratepayers. In addition, decreasing a ratepayer's exposure to just \$250 might encourage an increase in account defaults. Vote 17-3. Committee report adopted.

**HB 1140**, relative to financial responsibility for gas transmission pipelines. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. This bill would require owners of gas transmission pipelines to procure and maintain insurance against any loss resulting from failure or malfunction, and must be maintained in cases of abandonment. It also requires annual proof of adequate insurance to the Public Utilities Commission (PUC). While the intent is well-placed and the need for property owner protection is understood, testimony revealed that the newly adopted Site Evaluation Committee (SEC) rules do consider insurance and decommissioning plans as part of the certification process. Testimony also revealed that some pipeline companies currently self-insure in amounts well positioned to meet the concerns, while others already carry third party insurance. The committee felt the bill is unnecessary and would put an undue burden on the SEC and the PUC. Additionally, there was some concern that since interstate pipelines fall under the final authority of the Federal Energy Regulatory Commission, such state directives could be preempted. For these reasons, the committee is not able to support the bill. Vote 15-6.

Rep. Marjorie Shepardson for the Minority of Science, Technology and Energy. The minority believes the owners of gas transmission pipelines should have to annually provide proof of insurance to the Public Utilities Commission.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Vadney spoke in favor.

Rep. McConnell spoke against and requested a roll call; sufficiently seconded.

### YEAS 239 NAYS 96

#### YEAS - 239

##### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Russell, David	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert			

##### CARROLL

Avellani, Lino	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	

##### CHESHIRE

Berch, Paul	Bordenet, John	Eaton, Daniel	Johnsen, Gladys
Mann, John	Sad, Tara	Tatro, Bruce	

##### COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne			

##### GRAFTON

Brown, Duane	Cooney, Mary	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Hull, Robert	Ingbertson, Paul	Johnson, Eric
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Piper, Wendy
Shackett, Jeffrey	Sykes, George	Townsend, Charles	

##### HILLSBOROUGH

Ammon, Keith	Backus, Robert	Balcom, John	Baroody, Benjamin
Barry, Richard	Belanger, James	Biggie, Barbara	Boehm, Ralph
Brown, Pamela	Burt, John	Christiansen, Lars	Christie, Rick
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Edwards, Elizabeth	Ferreira, Elizabeth
Fraitas, Mary	Gagne, Larry	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Gould, Linda	Guerette, C. Lee	Haefner, Robert

Halstead, Carolyn  
Hogan, Edith  
LeBrun, Donald  
Moore, Josh  
Ober, Lynne  
Pellegrino, Anthony  
Rosenwald, Cindy  
Shattuck, Gilman  
Sullivan, Daniel  
Wolf, Terry

Hansberry, Daniel  
Hopper, Gary  
Leishman, Peter  
Murotake, David  
Ober, Russell  
Peterson, Ken  
Rouillard, Claire  
Shaw, Barbara  
Sullivan, Victoria

Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy

Herbert, Christopher  
Lachance, Joseph  
McLean, Mark  
O'Brien, Michael  
Parison, James  
Porter, Marjorie  
Seidel, Carl  
Soucy, Timothy  
Walsh, Robert

### MERRIMACK

Alicea, Caroletta  
Frazer, June  
Henle, Paul  
Horn, Werner  
Kotowski, Frank  
MacKay, James  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Bradley, Paula  
French, Barbara  
Hess, David  
Karrick, David  
Kuch, Bill  
Marple, Richard  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

Carson, Clyde  
French, Harold  
Hill, Gregory  
Kenison, Linda  
Long, Douglas  
McGuire, Carol  
Ratzki, Mario  
Seaworth, Brian

Doherty, David  
Gile, Mary  
Hoell, J.R.  
Kidder, David  
Luneau, David  
McGuire, Dan  
Rice, Chip  
Shurtleff, Stephen

### ROCKINGHAM

Abrami, Patrick  
Bush, Carol  
Christie, Andrew  
Duarte, Joe  
Gannon, William  
Heffron, Frank  
Kappler, Lawrence  
Major, Norman  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Vose, Michael  
Weyler, Kenneth

Azarian, Gary  
Cali-Pitts, Jacqueline  
Cook, Allen  
Emerick, J. Tracy  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Rice, Frederick  
Tilton, Rio  
Ward, Joanne

Barnes, Arthur  
Cardon, G. Thomas  
DeSimone, Debra  
Francese, Paula  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Peckham, Michele  
Schroadter, Adam  
True, Chris  
Webb, James

Bates, David  
Chase, Francis  
Devine, James  
Friel, William  
Harris, Jeffrey  
Itse, Daniel  
Lovejoy, Patricia  
McMahon, Charles  
Osborne, Jason  
Potucek, John  
Spillane, James  
Tucker, Pamela  
Welch, David

### STRAFFORD

Baber, William  
Cheney, Catherine  
Groen, Warren  
Kaen, Naida  
Rollo, Deanna  
Sprague, Dale  
Ward, Kenneth

Beaudoin, Steven  
DeLemus, Susan  
Hannon, Joseph  
Leeman, Don  
Schmidt, Peter  
Treleaven, Susan  
Wuelper, Kurt

Bickford, David  
DiSesa, Len  
Jones, Laura  
Mullen, John  
Smith, Marjorie  
Turcotte, Leonard

Burton, Wayne  
Gray, James  
Kaczynski, Jr., Thomas  
Pitre, Joseph  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Cloutier, John  
Rollins, Skip

Grenier, James  
Smith, Steven

Irwin, Virginia

Laware, Thomas

### NAYS - 96

### BELKNAP

Spanos, Peter

### CARROLL

Buco, Thomas

Ticehurst, Susan

Wright, Ted

**CHESHIRE**

Abbott, Michael  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
McConnell, James  
Shepardson, Marjorie

Chase, Cynthia  
Pearson, William  
Sterling, Franklin

Hunt, John  
Roberts, Kris  
Tilton, Benjamin

**COOS**

Froburg, Alethea

**GRAFTON**

Abel, Richard  
Smith, Suzanne

Almy, Susan  
White, Andrew

Darrow, Stephen

Higgins, Patricia

**HILLSBOROUGH**

Adams, Christopher  
Coffey, James  
Flanagan, Jack  
Heath, Mary  
Mangipudi, Latha  
Notter, Jeanine  
Roberts, Carol  
Smith, Timothy  
Vann, Ivy

Beaulieu, Jane  
Eastman, Eric  
Gidge, Kenneth  
Hinch, Richard  
Manley, Jonathan  
Ohm, Bill  
Sanborn, Laurie  
Snow, Kendall  
Williams, Kermit

Byron, Frank  
Edelblut, Frank  
Griffin, Barbara  
Jack, Martin  
McCarthy, Peggy  
Proulx, Mark  
Schleien, Eric  
Takesian, Charlene

Christensen, Chris  
Estevez, Eric  
Harvey, Suzanne  
Long, Patrick  
McNamara, Richard  
Rice, Kimberly  
Smith, Gregory  
Ulery, Jordan

**MERRIMACK**

Bartlett, Christy  
Hirsch, Geoffrey  
Wheeler, Deborah

Brewster, Michael  
Martin, John

Deloge, Helen  
Parent, Jason

Ebel, Karen  
Schuett, Dianne

**ROCKINGHAM**

Abramson, Max  
Cahill, Michael  
DiFranco, Debbie  
McBeath, Rebecca  
Thomas, Douglas

Baldasaro, Alfred  
Chirichiello, Brian  
Ferrante, Beverly  
Simpson, Alexis  
Ward, Gerald

Berrien, Skip  
Cushing, Robert  
Gordon, Pamela  
Sweeney, Joe

Borden, David  
Dean-Bailey, Yvonne  
Hodgdon, Bruce  
Tamburello, Daniel

**STRAFFORD**

Berube, Roger  
Spang, Judith

Bixby, Peter  
Stevens, Audrey

Graham, Robert

Horrigan, Timothy

**SULLIVAN**

Converse, Larry  
Schmidt, Andrew

Gagnon, Raymond

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

**HB 1146**, relative to certificates of site and facility. **INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Richardson for Science, Technology and Energy. This bill, by changing "may" to "shall," attempts to ensure that a certificate issued by the Site Evaluation Committee (SEC) includes terms and conditions, such as bonding, and provisions for monitoring as the SEC deems necessary. The SEC has recently adopted rules that address these issues and so the committee feels this bill is unnecessary. Vote 15-5.

Committee report adopted.

**HB 1148**, relative to pipeline capacity contracts. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. The Public Utilities Commission (PUC) has broad powers to evaluate all manner of energy issues including needs for future capacities for fuel transportation via pipelines. The committee believes that nothing is gained by specifying a long list of specifics which, in effect, would be telling the PUC how to do its job. Current law (RSAs 374:1, 374:2 and 378:7) already requires the PUC to review pipeline capacity contracts for prudence and to determine whether the terms of such an agreement are reasonable. Vote 11-10.



Rep. Howard Moffett for the Minority of Science, Technology and Energy. The minority believes this bill raises an important concern that deserves far more attention than it has received: why should New Hampshire electric ratepayers be asked to pay for long-term capacity contracts on gas pipelines? Even those of us who feel that New England needs new interstate gas pipeline capacity, to reduce high winter wholesale and retail electric rates and price volatility, question whether retail electric ratepayers should be asked to guarantee payment on 20 year gas capacity contracts like default service ratepayers were asked to do for the mercury scrubber installation at Merrimack Station.

The question being adoption of the majority committee report of Inexpedient to Legislature.

Reps. Moffett and McConnell spoke against.

Rep. Vadney spoke in favor.

Rep. Baber yielded to questions.

Rep. McConnell requested a roll call; sufficiently seconded.

## YEAS 163 NAYS 169

### YEAS - 163

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Hurt, George	Russell, David	Tilton, Franklin
Vadney, Herbert			

#### CARROLL

Chandler, Gene	Cordelli, Glenn	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Umberger, Karen

#### CHESHIRE

Berch, Paul	Bordenet, John	Eaton, Daniel	Mann, John
Robertson, Timothy	Sad, Tara		

#### COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

#### GRAFTON

Almy, Susan	Gionet, Edmond	Maes, Kevin	Piper, Wendy
Shackett, Jeffrey	Sykes, George		

#### HILLSBOROUGH

Ammon, Keith	Backus, Robert	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Brown, Pamela	Burt, John
Christiansen, Lars	Christie, Rick	Cohen, Alan	Cote, David
Donovan, Daniel	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Heath, Mary	Herbert, Christopher	Hopper, Gary
Infantine, William	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Marston, Dick	Moore, Josh	Murotake, David	Ober, Lynne
Ober, Russell	Ohm, Bill	Peterson, Ken	Pierce, David
Proulx, Mark	Rowe, Robert	Seidel, Carl	Shattuck, Gilman
Simmons, Tammy	Smith, Timothy	Ulery, Jordan	Walsh, Robert
Wolf, Terry			

#### MERRIMACK

Bradley, Paula	Deloge, Helen	Frazer, June	French, Barbara
French, Harold	Hess, David	Horn, Werner	Kenison, Linda
Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Luneau, David	Mackay, James	Marple, Richard	McGuire, Carol
McGuire, Dan	Parent, Jason	Rice, Chip	Rogers, Katherine
Seaworth, Brian	Turcotte, Alan	Walsh, Thomas	Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick  
 Cardon, G. Thomas  
 Devine, James  
 Griffin, Mary  
 Introne, Robert  
 Major, Norman  
 Nigrello, Robert  
 Peckham, Michele  
 Spillane, James  
 True, Chris  
 Ward, Joanne

Azarian, Gary  
 Chase, Francis  
 Doucette, Fred  
 Harris, Jeffrey  
 Katsakiores, Phyllis  
 Matthews, Carolyn  
 O'Connor, John  
 Potucek, John  
 Sytek, John  
 Tucker, Pamela  
 Webb, James

Bush, Carol  
 Dean-Bailey, Yvonne  
 Emerick, J. Tracy  
 Heffron, Frank  
 Kolodziej, Walter  
 McKinney, Betsy  
 Packard, Sherman  
 Rice, Frederick  
 Thomas, Douglas  
 Vose, Michael  
 Weyler, Kenneth

Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Friel, William  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 Milz, David  
 Pantelakos, Laura  
 Schroadter, Adam  
 Tilton, Rio  
 Ward, Gerald

**STRAFFORD**

Bickford, David  
 Gray, James  
 Leeman, Don  
 Treleven, Susan

Burton, Wayne  
 Hannon, Joseph  
 Mullen, John  
 Turcotte, Leonard

Cheney, Catherine  
 Jones, Laura  
 Smith, Marjorie

DiSesa, Len  
 Kaen, Naida  
 Spang, Judith

**SULLIVAN**

Laware, Thomas

Schmidt, Andrew

Smith, Steven

**NAYS - 169****BELKNAP**

Fraser, Valerie  
 Sylvia, Michael

Howard, Jr., Raymond

LeBreche, Shari

Spanos, Peter

**CARROLL**

Avellani, Lino  
 Ticehurst, Susan

Buco, Thomas  
 Wright, Ted

Butler, Edward

Comeau, Ed

**CHESHIRE**

Abbott, Michael  
 Johnsen, Gladys  
 Roberts, Kris  
 Tilton, Benjamin

Ames, Richard  
 Ley, Douglas  
 Shepardson, Marjorie  
 Weber, Lucy

Chase, Cynthia  
 McConnell, James  
 Sterling, Franklin

Hunt, John  
 Pearson, William  
 Tatro, Bruce

**COOS**

Froburg, Alethea  
 Tholl, John

Hatch, William

Moynihan, Wayne

Rideout, Leon

**GRAFTON**

Abel, Richard  
 Darrow, Stephen  
 Hull, Robert  
 Smith, Suzanne

Bailey, Brad  
 Hennessey, Erin  
 Johnson, Eric  
 Townsend, Charles

Brown, Duane  
 Hennessey, Martha  
 Ladd, Rick  
 White, Andrew

Cooney, Mary  
 Higgins, Patricia  
 Massimilla, Linda

**HILLSBOROUGH**

Adams, Christopher  
 Byron, Frank  
 DiSilvestro, Linda  
 Estevez, Eric  
 Gould, Linda  
 Harvey, Suzanne  
 Kurk, Neal  
 McCarthy, Peggy  
 Notter, Jeanine  
 Pellegrino, Anthony

Baroody, Benjamin  
 Christensen, Chris  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Griffin, Barbara  
 Hinch, Richard  
 Long, Patrick  
 McLean, Mark  
 O'Brien, Michael  
 Porter, Marjorie

Barry, Richard  
 Coffey, James  
 Edelblut, Frank  
 Flanagan, Jack  
 Hansberry, Daniel  
 Hogan, Edith  
 Mangipudi, Latha  
 McNamara, Richard  
 Palmer, Barry  
 Rice, Kimberly

Beaulieu, Jane  
 Cornell, Patricia  
 Edwards, Elizabeth  
 Freitas, Mary  
 Hansen, Peter  
 Jack, Martin  
 Manley, Jonathan  
 Murphy, Keith  
 Parison, James  
 Roberts, Carol

Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Vann, Ivy

Rouillard, Claire  
Smith, Gregory  
Sullivan, Victoria  
Williams, Kermit

Sanborn, Laurie  
Snow, Kendall  
Takesian, Charlene

Schleien, Eric  
Soucy, Timothy  
Twombly, Timothy

### MERRIMACK

Alicea, Caroletta  
Doherty, David  
Hill, Gregory  
Moffett, Howard  
Schuett, Dianne

Bartlett, Christy  
Ebel, Karen  
Hirsch, Geoffrey  
Myler, Mel  
Shurtleff, Stephen

Brewster, Michael  
Gile, Mary  
Hoell, J.R.  
Ratzki, Mario

Carson, Clyde  
Henle, Paul  
Karrick, David  
Saunderson, George

### ROCKINGHAM

Abramson, Max  
Borden, David  
Cushing, Robert  
Francese, Paula  
Hodgdon, Bruce  
McMahon, Charles  
Sweeney, Joe

Baldasaro, Alfred  
Cahill, Michael  
DiFranco, Debbie  
Gannon, William  
Itse, Daniel  
Osborne, Jason  
Tamburello, Daniel

Bates, David  
Christie, Andrew  
Duarte, Joe  
Gordon, Pamela  
Kappler, Lawrence  
Prudhomme-O'Brien, Katherine  
Welch, David

Berrien, Skip  
Cook, Allen  
Ferrante, Beverly  
Green, Dennis  
McBeath, Rebecca  
Simpson, Alexis

### STRAFFORD

Baber, William  
DeLemus, Susan  
Kaczynski, Jr., Thomas  
Southworth, Thomas  
Wuelper, Kurt

Beaudoin, Steven  
Graham, Robert  
Pitre, Joseph  
Sprague, Dale

Berube, Roger  
Groen, Warren  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

and the majority committee report failed.

Rep. McConnell moved the minority committee report of Ought to Pass.

Rep. Eastman requested a roll call; sufficiently seconded.

**YEAS 208 NAYS 124**

### YEAS - 208

### BELKNAP

Fraser, Valerie  
Russell, David

Howard, Jr., Raymond  
Spanos, Peter

Hurt, George  
Sylvia, Michael

LeBreche, Shari

### CARROLL

Avellani, Lino  
McConkey, Mark  
Wright, Ted

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Parker, Harold

Comeau, Ed  
Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Johnsen, Gladys  
Pearson, William  
Tatro, Bruce

Ames, Richard  
Ley, Douglas  
Roberts, Kris  
Tilton, Benjamin

Chase, Cynthia  
Mann, John  
Shepardson, Marjorie  
Weber, Lucy

Hunt, John  
McConnell, James  
Sterling, Franklin

### COOS

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihn, Wayne

Rideout, Leon

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Hull, Robert  
Smith, Suzanne

Almy, Susan  
Hennessey, Erin  
Johnson, Eric  
Townsend, Charles

Brown, Duane  
Hennessey, Martha  
Ladd, Rick  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Coffey, James  
Eastman, Eric  
Ferreira, Elizabeth  
Griffin, Barbara  
Heath, Mary  
Kurk, Neal  
Manley, Jonathan  
Murotake, David  
Ober, Lynne  
Porter, Marjorie  
Rouillard, Claire  
Shaw, Barbara  
Snow, Kendall  
Takesian, Charlene  
Walsh, Robert

Backus, Robert  
Beaulieu, Jane  
Christensen, Chris  
Cohen, Alan  
Edelblut, Frank  
Flanagan, Jack  
Guerette, C. Lee  
Hinch, Richard  
Leishman, Peter  
McCarthy, Peggy  
Murphy, Keith  
Palmer, Barry  
Rice, Kimberly  
Sanborn, Laurie  
Simmons, Tammy  
Soucy, Timothy  
Twombly, Timothy  
Williams, Kermit

Balcom, John  
Belanger, James  
Christiansen, Lars  
Cornell, Patricia  
Edwards, Elizabeth  
Freitas, Mary  
Hansberry, Daniel  
Hogan, Edith  
Long, Patrick  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Roberts, Carol  
Schleien, Eric  
Smith, Gregory  
Sullivan, Daniel  
Ulery, Jordan

Baroody, Benjamin  
Boehm, Ralph  
Christie, Rick  
DiSilvestro, Linda  
Estevez, Eric  
Gould, Linda  
Harvey, Suzanne  
Jack, Martin  
Mangipudi, Latha  
McNamara, Richard  
O'Brien, Michael  
Pellegrino, Anthony  
Rosenwald, Cindy  
Shattuck, Gilman  
Smith, Timothy  
Sullivan, Victoria  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
French, Barbara  
Hirsch, Geoffrey  
Myler, Mel  
Schuett, Dianne

Bartlett, Christy  
Deloge, Helen  
Gile, Mary  
Hoell, J.R.  
Parent, Jason  
Seaworth, Brian

Bradley, Paula  
Doherty, David  
Henle, Paul  
Karrick, David  
Ratzki, Mario  
Shurtleff, Stephen

Brewster, Michael  
Ebel, Karen  
Hill, Gregory  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

**ROCKINGHAM**

Abramson, Max  
Borden, David  
Cook, Allen  
Duarte, Joe  
Gordon, Pamela  
Kappler, Lawrence  
McMahon, Charles  
Simpson, Alexis  
Tucker, Pamela

Baldasaro, Alfred  
Cahill, Michael  
Cushing, Robert  
Ferrante, Beverly  
Green, Dennis  
Lovejoy, Patricia  
Osborne, Jason  
Spillane, James  
Ward, Gerald

Bates, David  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Francese, Paula  
Hodgdon, Bruce  
Matthews, Carolyn  
Packard, Sherman  
Sweeney, Joe  
Welch, David

Berrien, Skip  
Christie, Andrew  
DiFranco, Debbie  
Gannon, William  
Itse, Daniel  
McBeath, Rebecca  
Prudhomme-O'Brien, Katherine  
Tamburello, Daniel

**STRAFFORD**

Baber, William  
Cheney, Catherine  
Horriggan, Timothy  
Schmidt, Peter  
Wall, Janet

Beaudoin, Steven  
DeLemus, Susan  
Kaczynski, Jr., Thomas  
Southworth, Thomas  
Wuelper, Kurt

Berube, Roger  
Graham, Robert  
Pitre, Joseph  
Sprague, Dale

Bixby, Peter  
Groen, Warren  
Rollo, Deanna  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

**NAYS - 124****BELKNAP**Aldrich, Glen  
Gallagher, BrianDumais, Russell  
Tilton, FranklinFields, Dennis  
Vadney, Herbert

Flanders, Donald

**CARROLL**Chandler, Gene  
Umberger, Karen

Cordelli, Glenn

McCarthy, Frank

Schmidt, Stephen

**CHESHIRE**Berch, Paul  
Sad, Tara

Bordenet, John

Eaton, Daniel

Robertson, Timothy

**COOS**

Fothergill, John

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

**GRAFTON**Bailey, Brad  
Shackett, JeffreyGionet, Edmond  
Sykes, George

Maes, Kevin

Piper, Wendy

**HILLSBOROUGH**Ammon, Keith  
Cote, David  
Goley, Jeffrey  
Halstead, Carolyn  
Infantine, William  
Moore, Josh  
Pierce, David  
Wolf, TerryBiggie, Barbara  
Donovan, Daniel  
Gonzalez, Carlos  
Hansen, Peter  
Lachance, Joseph  
Ober, Russell  
Proulx, MarkBrown, Pamela  
Gagne, Larry  
Gorman, Mary  
Herbert, Christopher  
LeBrun, Donald  
Ohm, Bill  
Rowe, RobertBurt, John  
Gidge, Kenneth  
Haefner, Robert  
Hopper, Gary  
Marston, Dick  
Peterson, Ken  
Seidel, Carl**MERRIMACK**Frazer, June  
Kenison, Linda  
Long, Douglas  
McGuire, Carol  
Turcotte, AlanFrench, Harold  
Kidder, David  
Luneau, David  
McGuire, Dan  
Walsh, ThomasHess, David  
Kotowski, Frank  
MacKay, James  
Rice, ChipHorn, Werner  
Kuch, Bill  
Marple, Richard  
Rogers, Katherine**ROCKINGHAM**Abrami, Patrick  
Chase, Francis  
Emerick, J. Tracy  
Heffron, Frank  
Kolodziej, Walter  
Nigrello, Robert  
Potucek, John  
Thomas, Douglas  
Ward, JoanneAzarian, Gary  
DeSimone, Debra  
Friel, William  
Hoelzel, Kathleen  
Major, Norman  
O'Connor, John  
Rice, Frederick  
Tilton, Rio  
Webb, JamesBush, Carol  
Devine, James  
Griffin, Mary  
Introne, Robert  
McKinney, Betsy  
Pantelakos, Laura  
Schroadter, Adam  
True, Chris  
Weyler, KennethCardon, G. Thomas  
Doucette, Fred  
Harris, Jeffrey  
Katsakiores, Phyllis  
Milz, David  
Peckham, Michele  
Sytek, John  
Vose, Michael**STRAFFORD**Bickford, David  
Hannon, Joseph  
Mullen, John  
Turcotte, LeonardBurton, Wayne  
Jones, Laura  
Smith, MarjorieDiSesa, Len  
Kaen, Naida  
Spang, JudithGray, James  
Leeman, Don  
Treleaven, Susan**SULLIVAN**

Laware, Thomas

Smith, Steven

and the minority committee report was adopted and ordered to third reading.

**HB 1174, relative to energy sources for new natural gas transmission compressor stations. INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill would require that natural gas compressor stations use another source of power rather than the gas in the pipeline itself. Using pipeline gas to power a 41,000 horsepower compressor creates noise and poses the risk of air emissions in the area around the compressor station. Periodic gas releases, called blowdowns, are necessary to perform compressor maintenance and risk further contamination around the station. However, the Department of Environmental Services testified that a preliminary application for a gas compressor in Temple showed emission levels would be low. A pipeline engineer testified that using electricity rather than gas to power the compressor would require the construction of an 11-mile power distribution line from a substation in Rindge. This engineer further testified that geography and pipeline fluid dynamics require siting the pipeline in the Temple/New Ipswich area. Ultimately, the bill's negatives outweighed the positives, leading to the committee's disapproval of the bill. Vote 14-7. Rep. Vose spoke in favor.

Rep. Williams spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 198 NAYS 132****YEAS - 198****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		

**CHESHIRE**

Berch, Paul	Bordenet, John	Eaton, Daniel	Roberts, Kris
Sad, Tara	Weber, Lucy		

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne

**GRAFTON**

Almy, Susan	Bailey, Brad	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Hull, Robert	Ingbretson, Paul	Ladd, Rick
Piper, Wendy	Shackett, Jeffrey	Townsend, Charles	

**HILLSBOROUGH**

Ammon, Keith	Backus, Robert	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Brown, Pamela
Burt, John	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Ferreira, Elizabeth	Gagne, Larry	Goley, Jeffrey	Gonzalez, Carlos
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Harvey, Suzanne	Herbert, Christopher	Hogan, Edith
Hopper, Gary	Lachance, Joseph	LeBrun, Donald	Long, Patrick
Marston, Dick	Moore, Josh	Murotake, David	Murphy, Keith
O'Brien, Michael	Ober, Lynne	Ober, Russell	Ohm, Bill
Parison, James	Peterson, Ken	Pierce, David	Rosenwald, Cindy
Rowe, Robert	Sanborn, Laurie	Shattuck, Gilman	Shaw, Barbara
Simmons, Tammy	Walsh, Robert	Wolf, Terry	

**MERRIMACK**

Bartlett, Christy  
Ebel, Karen  
Henle, Paul  
Kidder, David  
MacKay, James  
Moffett, Howard  
Shurtleff, Stephen

Bradley, Paula  
French, Barbara  
Hess, David  
Kotowski, Frank  
Marple, Richard  
Parent, Jason  
Walsh, Thomas

Brewster, Michael  
French, Harold  
Hill, Gregory  
Kuch, Bill  
McGuire, Carol  
Rice, Chip

Deloge, Helen  
Gile, Mary  
Hoell, J.R.  
Long, Douglas  
McGuire, Dan  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Cook, Allen  
Doucette, Fred  
Gannon, William  
Heffron, Frank  
Itse, Daniel  
Lovejoy, Patricia  
McMahon, Charles  
Packard, Sherman  
Spillane, James  
Tilton, Rio  
Ward, Joanne

Azarian, Gary  
Bush, Carol  
Dean-Bailey, Yvonne  
Duarte, Joe  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Milz, David  
Peckham, Michele  
Sytek, John  
True, Chris  
Webb, James

Baldasaro, Alfred  
Cardon, G. Thomas  
DeSimone, Debra  
Emerick, J. Tracy  
Griffin, Mary  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Tamburello, Daniel  
Tucker, Pamela  
Welch, David

Barnes, Arthur  
Christie, Andrew  
Devine, James  
Friel, William  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Thomas, Douglas  
Vose, Michael  
Weyler, Kenneth

**STRAFFORD**

Baber, William  
Cheney, Catherine  
Groen, Warren  
Kaen, Naida  
Spang, Judith  
Wuelper, Kurt

Beaudoin, Steven  
DeLemus, Susan  
Hannon, Joseph  
Leeman, Don  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Jones, Laura  
Mullen, John  
Turcotte, Leonard

Burton, Wayne  
Gray, James  
Kaczynski, Jr., Thomas  
Pitre, Joseph  
Wall, Janet

**SULLIVAN**

Gottling, Suzanne  
Smith, Steven

Grenier, James

Laware, Thomas

Schmidt, Andrew

**NAYS - 132****BELKNAP**

Fraser, Valerie

LeBreche, Shari

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

Wright, Ted

**CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Pearson, William  
Tatro, Bruce

Ames, Richard  
Ley, Douglas  
Robertson, Timothy  
Tilton, Benjamin

Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

Hunt, John  
McConnell, James  
Sterling, Franklin

**COOS**

Theberge, Robert

**GRAFTON**

Abel, Richard  
Higgins, Patricia  
Smith, Suzanne

Brown, Duane  
Johnson, Eric  
Sykes, George

Cooney, Mary  
Maes, Kevin  
White, Andrew

Darrow, Stephen  
Massimilla, Linda

**HILLSBOROUGH**

Adams, Christopher	Baroody, Benjamin	Beaulieu, Jane	Byron, Frank
Christensen, Chris	Christie, Rick	Coffey, James	Cote, David
DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Flanagan, Jack	Freitas, Mary
Gidge, Kenneth	Gorman, Mary	Gould, Linda	Hansberry, Daniel
Heath, Mary	Hinch, Richard	Jack, Martin	Leishman, Peter
Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy	McLean, Mark
McNamara, Richard	Notter, Jeanine	Pellegrino, Anthony	Porter, Marjorie
Proulx, Mark	Rice, Kimberly	Roberts, Carol	Rouillard, Claire
Schleien, Eric	Seidel, Carl	Smith, Gregory	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Sullivan, Victoria
Sweeney, Shawn	Takesian, Charlene	Twombly, Timothy	Ulery, Jordan
Vann, Ivy	Williams, Kermit		

**MERRIMACK**

Alicea, Caroletta	Carson, Clyde	Doherty, David	Frazer, June
Hirsch, Geoffrey	Horn, Werner	Karrick, David	Kenison, Linda
Luneau, David	Martin, John	Myler, Mel	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuetz, Dianne	Turcotte, Alan
Wheeler, Deborah			

**ROCKINGHAM**

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Chase, Francis	Cushing, Robert	DiFranco, Debbie
Ferrante, Beverly	Francese, Paula	Gordon, Pamela	McBeath, Rebecca
Pantelakos, Laura	Prudhomme-O'Brien, Katherine	Schroadter, Adam	Simpson, Alexis
Sweeney, Joe	Ward, Gerald		

**STRAFFORD**

Berube, Roger	Bixby, Peter	Graham, Robert	Horrigan, Timothy
Rollo, Deanna	Schmidt, Peter	Southworth, Thomas	Sprague, Dale
Stevens, Audrey			

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Irwin, Virginia
Oxenham, Lee	Rollins, Skip		
and the committee report was adopted.			

**INTRODUCTION OF SPECIAL GUEST**

Representative-elect Michael A. Edgar, guest of the House.

**REGULAR CALENDAR CONT'D**

**HB 1320**, relative to assignment or transfer of an operating permit issued by the department of environmental services. **INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Vadney for Science, Technology and Energy. This bill was narrowly crafted to single out a particular parcel of land in a way that would unduly restrict the property rights of the landowner. The Department of Environmental Services testified that the permits that were given to the landowner and the function approved for that parcel remain and any new owner of the property could operate under that permit as long as the same conditions of trained operators, safety procedures, environmental constraints, and emissions monitoring were followed. Vote 14-5.  
Committee report adopted.

**HB 1374**, relative to rebates to ratepayers from the renewable energy fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. The bi-partisan majority of the committee felt that this bill, which essentially defunds the Renewable Energy Fund which is used to develop renewable energy, promote in-state jobs and diversify our sources of



energy, will harm the rapidly growing renewable energy industry in the state. The committee heard extensive testimony against the bill, expressing that the bill was anti-business. Reports have shown that the Renewable Energy Fund investments in energy projects have totaled \$7 million and have generated \$30 million in private investment in our state. Vote 18-3.

Rep. Jeanine Notter for the Minority of Science, Technology and Energy. However small the rebate to ratepayers may have been, it would help some in lessening the redistribution in wealth that the minority opposes in principle. All of the little fees here and subsidies there add up to a sizable amount of money out-of-pocket. Chipping away at subsidies and fees is a way to reverse course.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Notter spoke against.

Rep. Shepardson spoke in favor.

Rep. Tucker requested a roll call; sufficiently seconded.

## YEAS 203 NAYS 127

### YEAS - 203

#### BELKNAP

Fields, Dennis  
Vadney, Herbert

Flanders, Donald

Gallagher, Brian

Russell, David

#### CARROLL

Buco, Thomas  
Parker, Harold

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Pearson, William  
Sterling, Franklin

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Ley, Douglas  
Sad, Tara  
Tilton, Benjamin

#### COOS

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Moynihn, Wayne  
Thomas, Yvonne

Richardson, Herbert

#### GRAFTON

Abel, Richard  
Ford, Susan  
Ladd, Rick  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

Bailey, Brad  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

#### HILLSBOROUGH

Backus, Robert  
Belanger, James  
Cote, David  
Flanagan, Jack  
Gorman, Mary  
Hansen, Peter  
Hinch, Richard  
Long, Patrick  
McCarthy, Peggy  
Peterson, Ken  
Roberts, Carol  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Balcom, John  
Brown, Pamela  
DiSilvestro, Linda  
Freitas, Mary  
Guerette, C. Lee  
Harvey, Suzanne  
Jack, Martin  
Mangipudi, Latha  
McNamara, Richard  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Baroody, Benjamin  
Cohen, Alan  
Donovan, Daniel  
Gidge, Kenneth  
Haefner, Robert  
Heath, Mary  
LeBrun, Donald  
Manley, Jonathan  
O'Brien, Michael  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Beaulieu, Jane  
Cornell, Patricia  
Edwards, Elizabeth  
Goley, Jeffrey  
Hansberry, Daniel  
Herbert, Christopher  
Leishman, Peter  
Marston, Dick  
Pellegrino, Anthony  
Proulx, Mark  
Seidel, Carl  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Luneau, David  
Ratzki, Mario  
Schuett, Dianne  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Hess, David  
Long, Douglas  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Christie, Andrew  
DiFranco, Debbie  
Gordon, Pamela  
Introne, Robert  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Sytek, John

Azarian, Gary  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Doucette, Fred  
Griffin, Mary  
Katsakiores, Phyllis  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Ward, Gerald

Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Francesse, Paula  
Heffron, Frank  
Kolodziej, Walter  
McBeath, Rebecca  
Nigrello, Robert  
Peckham, Michele  
Webb, James

Borden, David  
Chase, Francis  
Devine, James  
Friel, William  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Simpson, Alexis  
Welch, David

**STRAFFORD**

Baber, William  
Burton, Wayne  
Kaen, Naida  
Spang, Judith  
Wall, Janet

Berube, Roger  
DiSesa, Len  
Rollo, Deanna  
Sprague, Dale

Bickford, David  
Gray, James  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Horrigan, Timothy  
Southworth, Thomas  
Treleaven, Susan

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

**NAYS - 127****BELKNAP**

Aldrich, Glen  
Hurt, George  
Tilton, Franklin

Dumais, Russell  
LeBreche, Shari

Fraser, Valerie  
Spanos, Peter

Howard, Jr., Raymond  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Nelson, Bill

Comeau, Ed  
Wright, Ted

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE****COOS****GRAFTON**

Brown, Duane  
Ingbreton, Paul

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Christensen, Chris  
Eastman, Eric  
Gagne, Larry  
Halstead, Carolyn  
McLean, Mark

Ammon, Keith  
Bouldin, Amanda  
Christiansen, Lars  
Edelblut, Frank  
Gonzalez, Carlos  
Hogan, Edith  
Moore, Josh

Barry, Richard  
Burt, John  
Christie, Rick  
Estevez, Eric  
Gould, Linda  
Hopper, Gary  
Murotake, David

Biggie, Barbara  
Byron, Frank  
Coffey, James  
Ferreira, Elizabeth  
Griffin, Barbara  
Lachance, Joseph  
Murphy, Keith

Notter, Jeanine  
Rice, Kimberly  
Simmons, Tammy  
Twombly, Timothy

Ober, Russell  
Rouillard, Claire  
Smith, Gregory  
Ulery, Jordan

Ohm, Bill  
Sanborn, Laurie  
Sullivan, Victoria

Parison, James  
Schleien, Eric  
Sweeney, Shawn

### MERRIMACK

Brewster, Michael  
Horn, Werner  
Marple, Richard  
Parent, Jason

French, Harold  
Karrick, David  
Martin, John  
Seaworth, Brian

Hill, Gregory  
Kotowski, Frank  
McGuire, Carol

Hoell, J.R.  
Kuch, Bill  
McGuire, Dan

### ROCKINGHAM

Abramson, Max  
Bush, Carol  
Duarte, Joe  
Green, Dennis  
Kappler, Lawrence  
Schroadter, Adam  
Tilton, Rio  
Ward, Joanne

Baldasaro, Alfred  
Chirichiello, Brian  
Emerick, J. Tracy  
Harris, Jeffrey  
Potucek, John  
Spillane, James  
True, Chris  
Weyler, Kenneth

Barnes, Arthur  
Cook, Allen  
Ferrante, Beverly  
Hodgdon, Bruce  
Prudhomme-O'Brien, Katherine  
Tamburello, Daniel  
Tucker, Pamela

Bates, David  
Dean-Bailey, Yvonne  
Gannon, William  
Itse, Daniel  
Rice, Frederick  
Thomas, Douglas  
Vose, Michael

### STRAFFORD

Beaudoin, Steven  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

DeLemus, Susan  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

### SULLIVAN

Converse, Larry  
and the majority committee report was adopted.

Laware, Thomas

Rollins, Skip

**HB 1470-FN**, permitting additional site evaluation committee membership from towns or cities affected by an application. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. This bill would add an indeterminate and varying number of new members to the Site Evaluation Committee depending on how many municipalities a proposed project passes through. However, estimates projected as many as fifty or more could qualify for membership, thereby making it difficult to get things done. Two years ago we reduced the number on the committee from fourteen to nine, partly because it was unwieldy at the larger number. Also, since the additional members would qualify for mileage reimbursement for multiple meetings, they would add cost to the operations of the committee. For these and other reasons the committee felt this bill unnecessary. Vote 18-1.  
Committee report adopted.

**HB 1479**, establishing a broadband study committee. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. This bill would establish a broadband study committee. Though there is a need for better access to broadband, particularly in rural areas, this is not new news and studies have already been done on the same issue. The Telecommunications Planning and Development Advisory Committee, with input from the Information Technology Council, has produced a report with some 37 recommendations. These committees should be allowed to progress with their study and possible implementation of recommendations. The majority felt that establishing another study to study the report would not produce anything new. To avoid "beating a dead horse," the committee opposes passage of this bill. Vote 13-8.

Rep. Charles Townsend for the Minority of Science, Technology and Energy. Legislation is needed to move ahead on the 37 specific recommendations in the report, Broadband 2015: The Connection to New Hampshire's Future. This 84-page report was the result of years of work by the NH Geographically Referenced Analysis and Information Transfer System (GRANIT), UNH Earth Systems Research Center, the Office of Energy and Planning, the Department of Economic Development, UNH Cooperative Extension, regional planning commissions, and other partners.

The report, released in the fall of 2015, documents the opportunities that broadband provides to small businesses, public safety, health care, and education. It also documents areas in which broadband availability is limited and the work that remains to be done to bring broadband to all areas in our state. A broadband committee will be able to study the recommendations, interview the report contributors, and determine legislation that will be successful in enacting the recommendations of this important report.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Ratzki spoke against.

Rep. Douglas Thomas spoke in favor.

On a division vote, with 184 members having voted in the affirmative, and 128 in the negative, the majority committee report was adopted.

**HB 1659**, relative to the implementation of the clean power state implementation plan. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jeanine Notter for the Majority of Science, Technology and Energy. This bill would have prohibited the Department of Environmental Services (DES) from spending money to develop a plan to implement the US Environmental Protection Agency's (EPA) Clean Power Plan (CPP) until the courts ruled on its legality. The bill's sponsor argued that it also provided a way for the state to protest the continued unchecked rise of the administrative state and its mandate to create rules that seriously impact our citizens without the accountability of the ballot box. DES testified that the bill could possibly affect its ability to accept and expend federal grant dollars. With the state already in compliance with the CPP's emission caps due to participation in the Regional Greenhouse Gas Initiative (RGGI) program, coupled with the US Supreme Court's early February stay of the CPP, the committee felt the bill was not necessary at this time. Vote 20-1.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This proposed legislation directed the state to delay action on a state implementation strategy to comply with the EPA's Clean Power Plan (CPP) until the rule's constitutionality was established. Many legal scholars had predicted that the EPA had exceeded the legislative authority granted by the federal Clean Air Act. In early February, the US Supreme Court halted the implementation of the CPP pending the resolution of legal challenges, making this bill less urgent. The EPA, meanwhile, stated that states could "voluntarily" develop their own compliance plans. Majority committee report adopted.

**HB 1691-FN**, making certain changes to the renewable portfolio standard. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill seeks to revise the Renewable Portfolio Standard (RPS), ostensibly to reduce ratepayer cost. However, the majority of the committee determined that the bill had serious unintended consequences and could raise rates. The RPS is the cornerstone of New Hampshire's clean energy policy, providing a strong market signal that New Hampshire is receptive to and encourages electric and thermal energy development. Among the serious issues in the bill was the fact the bill actually repealed the RPS in 2020. In addition, the committee learned through testimony, which was later documented and supported by the Public Utilities Commission, that the bill could significantly increase ratepayer costs by the changes suggested in the thermal requirements of the law. Finally, we heard from an overwhelming number of stakeholders that the bill was flawed as it would subsidize out-of-state renewable facilities and would send the wrong signal to investors and the markets. The RPS is working to achieve its goals, including job creation and retention, and helps to position New Hampshire as a leader in clean energy development. Efforts to terminate or weaken the program send the wrong message to the industry. The majority believes the RPS functions as it was originally intended, helping New Hampshire reduce its dependence on imported fossil energy over which we have no control, keeping energy dollars in-state, and moving our economy towards more sustainable, local, and cleaner sources for electricity and heat. Vote 13-8.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill, as amended, sought to lower electricity costs in our state by making some small adjustments to the Renewal Portfolio Standard (RPS) statute. The adjustments include: (1) increasing the number of renewable energy credits (RECs) available for purchase by NH utilities, and (2) keeping more of the RECs generated by in-state suppliers inside our borders. Keeping RECs inside our borders is an often-overlooked issue. Today, utilities in Massachusetts, Rhode Island, and Connecticut are buying RECs from NH-based generators and claiming

them as their own. When these RECS are sold out-of-state, the renewability benefit belongs to the state where the REC is counted. It is no coincidence that the nine states in the US with the highest electric rates are all RPS states. This bill provided an opportunity to bend the cost curve of RPS in New Hampshire in a downward direction while allowing the state to move closer to its renewable energy goals. Majority committee report adopted.

**HB 1288**, relative to the National Guard force protection policy. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. This bill was introduced to give the Adjutant General greater powers to arm certain military personnel at various state military installations, to assist in the state's force protection policy. Right now, the Law Enforcement Officer's Safety Act of 2004 authorizes the arming of federal military installations, but not our National Guard and Air National Guard area state installations. We believe that under Article 10 of the US Constitution (states' rights) we have the authority to make changes to our New Hampshire laws pertaining to state owned bases. In Part 2 of the NH Constitution, the Senate and House have the supreme power to enact laws to ensure that our National Guard and Air National Guard have the tools necessary for the protection of all state bases. Part 2, Article 51 gives the power to the Governor, who is the Commander in Chief, to execute the laws of the state and of the United States. This legislation seeks to put this responsibility in state law, to ensure our Adjutant General has the tools necessary to be sure that he identifies members of the military (state) to be armed so they can protect themselves in case of a terrorist attack. Vote 10-3.

Rep. Kris Roberts for the Minority of State-Federal Relations and Veterans Affairs. The minority believes that this bill is an over stepping of the constitutional separation of powers. The National Guard and Air National Guard fall under the command and control of the Governor as Commander in Chief. When a citizen becomes a member of the armed forces he or she gives up some rights. It is up to the facilities commander to determine if he or she will allow service members to bring personal weapons upon such facilities. If the commander allows service members to bring personal weapons on military facilities he or she must develop a force protection plan in case that service member choses to use that weapon on another service member(s). As history has shown, even the best training shooters have problems keeping bullets on target during firing. Just allowing someone to carry a weapon does not ensure safety. All military commanders have a force protection plan.

**Majority Amendment (0241h)**

Amend RSA 110-B:28, VII as inserted by section 1 of the bill by replacing it with the following:

VII. Any force protection policy adopted by the adjutant general shall permit members of the guard to carry a concealed pistol or revolver upon their person in accordance with the rules, regulations, and training requirements prescribed by the adjutant general.

**AMENDED ANALYSIS**

This bill provides that any force protection policy adopted by the New Hampshire national guard shall permit members of the guard to carry concealed weapons at national guard facilities in accordance with rules prescribed by the adjutant general.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Kris Roberts spoke against.

Rep. Baldasaro spoke in favor and yielded to questions.

**(Rep. Packard in the Chair)**

Rep. Murphy requested a roll call; sufficiently seconded.

**YEAS 188 NAYS 129**

**YEAS - 188**

**BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Schmidt, Stephen

Buco, Thomas  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Hunt, John

McConnell, James

Tilton, Benjamin

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Hull, Robert

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

Hennessey, Erin  
Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Burt, John  
Christie, Rick  
Edelblut, Frank  
Flanagan, Jack  
Gould, Linda  
Herbert, Christopher  
Infantine, William  
McCarthy, Peggy  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark  
Sanborn, Laurie  
Smith, Gregory  
Twombly, Timothy

Ammon, Keith  
Biggie, Barbara  
Byron, Frank  
Coffey, James  
Edwards, Elizabeth  
Gagne, Larry  
Griffin, Barbara  
Hinch, Richard  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria  
Ulery, Jordan

Balcom, John  
Boehm, Ralph  
Christensen, Chris  
Donovan, Daniel  
Estevez, Eric  
Gidge, Kenneth  
Haefner, Robert  
Hogan, Edith  
LeBrun, Donald  
Moore, Josh  
Ober, Lynne  
Pellegrino, Anthony  
Rouillard, Claire  
Seidel, Carl  
Sweeney, Shawn  
Wolf, Terry

Barry, Richard  
Bouldin, Amanda  
Christiansen, Lars  
Eastman, Eric  
Ferreira, Elizabeth  
Gonzalez, Carlos  
Halstead, Carolyn  
Hopper, Gary  
Leishman, Peter  
Murotake, David  
Ohm, Bill  
Peterson, Ken  
Rowe, Robert  
Simmons, Tammy  
Takesian, Charlene

**MERRIMACK**

Brewster, Michael  
Hill, Gregory  
Long, Douglas  
McGuire, Dan

French, Barbara  
Hoell, J.R.  
Marple, Richard  
Seaworth, Brian

French, Harold  
Horn, Werner  
Martin, John  
Turcotte, Alan

Hess, David  
Kotowski, Frank  
McGuire, Carol  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Peckham, Michele  
Spillane, James  
True, Chris  
Welch, David

Abramson, Max  
Bush, Carol  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Potucek, John  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Cardon, G. Thomas  
Cook, Allen  
Doucette, Fred  
Friel, William  
Harris, Jeffrey  
Kappler, Lawrence  
Matthews, Carolyn  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Vose, Michael

Barnes, Arthur  
Chase, Francis  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McKinney, Betsy  
Osborne, Jason  
Schroadter, Adam  
Tilton, Rio  
Ward, Joanne

**STRAFFORD**

Beaudoin, Steven  
DeLemus, Susan  
Jones, Laura  
Pitre, Joseph

Berube, Roger  
Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Bickford, David  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

**SULLIVAN**Converse, Larry  
Smith, Steven

Grenier, James

Laware, Thomas

Rollins, Skip

**NAYS - 129****CARROLL**

Butler, Edward

Ticehurst, Susan

Umberger, Karen

**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Mann, John  
Sad, TaraAmes, Richard  
Eaton, Daniel  
Pearson, William  
Shepardson, MarjorieBerch, Paul  
Johnsen, Gladys  
Roberts, Kris  
Tatro, BruceBordenet, John  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy**COOS**

Hatch, William

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**Abel, Richard  
Hennessey, Martha  
Piper, Wendy  
White, AndrewAlmy, Susan  
Higgins, Patricia  
Smith, SuzanneCooney, Mary  
Maes, Kevin  
Sykes, GeorgeFord, Susan  
Massimilla, Linda  
Townsend, Charles**HILLSBOROUGH**Backus, Robert  
Cohen, Alan  
Goley, Jeffrey  
Heath, Mary  
Manley, Jonathan  
Pierce, David  
Smith, Timothy  
Vann, IvyBaroody, Benjamin  
Cornell, Patricia  
Gorman, Mary  
Jack, Martin  
McNamara, Richard  
Roberts, Carol  
Snow, Kendall  
Walsh, RobertBeaulieu, Jane  
Cote, David  
Hansberry, Daniel  
Long, Patrick  
O'Brien, Michael  
Rosenwald, Cindy  
Soucy, Timothy  
Williams, KermitBrown, Pamela  
Freitas, Mary  
Harvey, Suzanne  
Mangipudi, Latha  
Ober, Russell  
Shaw, Barbara  
Sullivan, Daniel**MERRIMACK**Alicea, Caroletta  
Deloge, Helen  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Rice, Chip  
Wheeler, DeborahBartlett, Christy  
Doherty, David  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Saunderson, GeorgeBradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kuch, Bill  
Myler, Mel  
Schuett, DianneCarson, Clyde  
Frazer, June  
Karrick, David  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen**ROCKINGHAM**Azarian, Gary  
Cali-Pitts, Jacqueline  
Gordon, Pamela  
Milz, David  
Ward, GeraldBerrien, Skip  
Cushing, Robert  
Heffron, Frank  
Pantelakos, LauraBorden, David  
DiFranco, Debbie  
Lovejoy, Patricia  
Rice, FrederickCahill, Michael  
Francese, Paula  
McBeath, Rebecca  
Simpson, Alexis**STRAFFORD**Baber, William  
Gray, James  
Schmidt, Peter  
Treleven, SusanBixby, Peter  
Horrigan, Timothy  
Southworth, Thomas  
Wall, JanetBurton, Wayne  
Kaen, Naida  
Spang, JudithDiSesa, Len  
Rollo, Deanna  
Stevens, Audrey**SULLIVAN**Cloutier, John  
Oxenham, LeeGagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne

Irwin, Virginia

and the majority committee report was adopted and ordered to third reading.

**HB 1132**, relative to carrying a rifle or shotgun in certain vehicles. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for the Majority of Transportation. This bill allows hunters and sportsmen to have ammunition in their guns in their vehicles. This bill enhances safety by reducing the number of times the weapon is unloaded and reloaded. The committee amendment requires the safety to be on, and the chamber empty. Vote 11-9.

Rep. George Sykes for the Minority of Transportation. This bill, as amended, changes an existing Fish and Game law which currently prohibits a loaded rifle or shotgun in a vehicle. The amendment allows a rifle or shotgun in the vehicle when there is ammunition in the magazine, none in the chamber and the safety is on. NH Fish and Game, NH Department of Safety and the NH Guide Association were all opposed to the original bill, and they had no opportunity to comment on the amendment. There was no compelling testimony showing why this change was necessary.

### **Majority Amendment (0701h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

Amend the bill by replacing section 1 with the following:

1 Hunting From a Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft. Amend RSA 207:7 to read as follows:

207:7 Hunting From Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft.

I. No person shall take or attempt to take wild birds or wild animals from a motor vehicle, OHRV, snowmobile as defined in RSA 215-C:1, boat, aircraft or other craft propelled by mechanical power.

II. No person shall have or carry, in or on a motor vehicle, OHRV, snowmobile, or aircraft, whether moving or stationary, a cocked crossbow, *or* a loaded rifle or loaded shotgun~~[-or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun]~~ *that has a round in the chamber and the safety in the off position.*

III. No person shall have in or on a boat or other craft while being propelled by mechanical power, or in a boat or other craft being towed by a boat or other craft propelled by mechanical power, a cocked crossbow, *or* a loaded rifle or loaded shotgun~~[-or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun]~~ *that has a round in the chamber and the safety in the off position.*

IV. The provisions of this section shall not apply to law enforcement officers carrying guns in the line of duty.

### **AMENDED ANALYSIS**

This bill prohibits carrying in a motor vehicle, OHRV, snowmobile, aircraft, or boat, a loaded rifle or loaded shotgun that has a round in the chamber and the safety in the off position.

Rep. Steven Smith spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

**YEAS 196 NAYS 120**

### **YEAS - 196**

#### **BELKNAP**

Fields, Dennis  
LeBreche, Shari

Flanders, Donald  
Spanos, Peter

Gallagher, Brian  
Tilton, Franklin

Hurt, George

#### **CARROLL**

Butler, Edward  
Schmidt, Stephen

McCarthy, Frank  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

Parker, Harold

#### **CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Ley, Douglas  
Sad, Tara

Berch, Paul  
Mann, John  
Shepardson, Marjorie

Eaton, Daniel  
Pearson, William  
Tatro, Bruce



**COOS**

Fothergill, John  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Richardson, Herbert  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Gionet, Edmond  
Ladd, Rick  
Shackett, Jeffrey

Almy, Susan  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

Bailey, Brad  
Hennessey, Martha  
Massimilla, Linda  
Sykes, George

Ford, Susan  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Balcom, John  
Brown, Pamela  
Donovan, Daniel  
Freitas, Mary  
Gorman, Mary  
Harvey, Suzanne  
Hopper, Gary  
Long, Patrick  
Moore, Josh  
Parison, James  
Porter, Marjorie  
Smith, Timothy  
Sweeney, Shawn  
Williams, Kermit

Baroody, Benjamin  
Christensen, Chris  
Eastman, Eric  
Gagne, Larry  
Haefner, Robert  
Heath, Mary  
Infantine, William  
Mangipudi, Latha  
O'Brien, Michael  
Pellegrino, Anthony  
Roberts, Carol  
Snow, Kendall  
Takesian, Charlene  
Wolf, Terry

Barry, Richard  
Cornell, Patricia  
Edwards, Elizabeth  
Goley, Jeffrey  
Halstead, Carolyn  
Herbert, Christopher  
Jack, Martin  
Manley, Jonathan  
Ober, Russell  
Peterson, Ken  
Rosenwald, Cindy  
Soucy, Timothy  
Vann, Ivy

Beaulieu, Jane  
Cote, David  
Flanagan, Jack  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Leishman, Peter  
McNamara, Richard  
Palmer, Barry  
Pierce, David  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
Ebel, Karen  
Hess, David  
Karrick, David  
Luneau, David  
Myler, Mel  
Schuett, Dianne

Bartlett, Christy  
Frazer, June  
Hill, Gregory  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Carson, Clyde  
French, Harold  
Hirsch, Geoffrey  
Kotowski, Frank  
Marple, Richard  
Rice, Chip  
Turcotte, Alan

Doherty, David  
Gile, Mary  
Horn, Werner  
Long, Douglas  
Moffett, Howard  
Saunderson, George  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
Chirichiello, Brian  
Devine, James  
Gordon, Pamela  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Simpson, Alexis

Berrien, Skip  
Christie, Andrew  
DiFranco, Debbie  
Griffin, Mary  
Kolodziej, Walter  
McBeath, Rebecca  
O'Connor, John  
Sytek, John

Borden, David  
Cook, Allen  
Francesse, Paula  
Heffron, Frank  
Lovejoy, Patricia  
McMahon, Charles  
Pantelakos, Laura  
Ward, Gerald

Cahill, Michael  
DeSimone, Debra  
Friel, William  
Hoelzel, Kathleen  
Major, Norman  
Milz, David  
Peckham, Michele  
Weyler, Kenneth

**STRAFFORD**

Baber, William  
Bixby, Peter  
Kaen, Naida  
Rollo, Deanna  
Sprague, Dale  
Wuelper, Kurt

Beaudoin, Steven  
Burton, Wayne  
Leeman, Don  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Gray, James  
Mullen, John  
Southworth, Thomas  
Treleaven, Susan

Bickford, David  
Horrigan, Timothy  
Pitre, Joseph  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Oxenham, Lee

**NAYS - 120****BELKNAP**

Aldrich, Glen  
Russell, David

Dumais, Russell  
Sylvia, Michael

Fraser, Valerie  
Vadney, Herbert

Howard, Jr., Raymond

**CARROLL**

Avellani, Lino  
Nelson, Bill

Buco, Thomas  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

**CHESHIRE**

Bordenet, John

Chase, Cynthia

Hunt, John

McConnell, James

**GRAFTON**

Cooney, Mary  
Johnson, Eric

Darrow, Stephen  
Townsend, Charles

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Byron, Frank  
Cohen, Alan  
Gidge, Kenneth  
Lachance, Joseph  
McLean, Mark  
Ober, Lynne  
Rouillard, Claire  
Seidel, Carl  
Twombly, Timothy

Ammon, Keith  
Boehm, Ralph  
Christiansen, Lars  
Edelblut, Frank  
Gould, Linda  
LeBrun, Donald  
Murotake, David  
Ohm, Bill  
Rowe, Robert  
Simmons, Tammy  
Ulery, Jordan

Backus, Robert  
Bouldin, Amanda  
Christie, Rick  
Estevez, Eric  
Griffin, Barbara  
Marston, Dick  
Murphy, Keith  
Proulx, Mark  
Sanborn, Laurie  
Smith, Gregory

Belanger, James  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Hogan, Edith  
McCarthy, Peggy  
Notter, Jeanine  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria

**MERRIMACK**

Bradley, Paula  
Hoell, J.R.  
McGuire, Carol

Brewster, Michael  
Kidder, David  
McGuire, Dan

Deloge, Helen  
Kuch, Bill  
Seaworth, Brian

French, Barbara  
Martin, John  
Wheeler, Deborah

**ROCKINGHAM**

Abramson, Max  
Bates, David  
Chase, Francis  
Duarte, Joe  
Green, Dennis  
McKinney, Betsy  
Schroadter, Adam  
True, Chris  
Welch, David

Azarian, Gary  
Bush, Carol  
Cushing, Robert  
Emerick, J. Tracy  
Harris, Jeffrey  
Osborne, Jason  
Spillane, James  
Tucker, Pamela

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Ferrante, Beverly  
Hodgdon, Bruce  
Potucek, John  
Thomas, Douglas  
Vose, Michael

Barnes, Arthur  
Cardon, G. Thomas  
Doucette, Fred  
Gannon, William  
Kappler, Lawrence  
Prudhomme-O'Brien, Katherine  
Tilton, Rio  
Ward, Joanne

**STRAFFORD**

Cheney, Catherine  
Groen, Warren  
Turcotte, Leonard

DeLemus, Susan  
Hannon, Joseph

DiSesa, Len  
Jones, Laura

Graham, Robert  
Kaczynski, Jr., Thomas

**SULLIVAN**

Rollins, Skip

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Proulx offered floor amendment (0939h).

**Floor Amendment (0939h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

Amend the bill by replacing section 1 with the following:

1 Hunting From a Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft. Amend RSA 207:7 to read as follows:

207:7 Hunting From Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft.

I. No person shall take or attempt to take wild birds or wild animals from a motor vehicle, OHRV, snowmobile as defined in RSA 215-C:1, boat, aircraft or other craft propelled by mechanical power.

II. No person shall have or carry, in or on a motor vehicle, OHRV, snowmobile, or aircraft, whether moving or stationary, a cocked crossbow, *or* a loaded rifle or loaded shotgun[, ~~or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun~~] *that has the safety in the off position*.

III. No person shall have in or on a boat or other craft while being propelled by mechanical power, or in a boat or other craft being towed by a boat or other craft propelled by mechanical power, a cocked crossbow, *or* a loaded rifle or loaded shotgun[, ~~or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun~~] *that has the safety in the off position*.

IV. The provisions of this section shall not apply to law enforcement officers carrying guns in the line of duty.

**AMENDED ANALYSIS**

This bill prohibits carrying in a motor vehicle, OHRV, snowmobile, aircraft, or boat, a loaded rifle or loaded shotgun that has the safety in the off position.

Rep. Proulx spoke in favor.

Rep. Steven Smith spoke against.

Floor amendment (0939h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Sykes spoke against.

Rep. Proulx spoke in favor.

Rep. Hoell requested a roll call; not sufficiently seconded.

On a division vote, with 183 members having voted in the affirmative, and 129 in the negative, the majority committee report was adopted and ordered to third reading.

**(Speaker Jasper in the Chair)**

**HB 1154-FN**, authorizing and regulating the use of license plate scanning devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Werner Horn for Transportation. The practice of checking license plates to determine if the vehicle has been involved in a crime exists currently. This legislation allows law enforcement officers to utilize technology to become more efficient in this practice. The plate readers only capture an image of the plate. The database it is compared to is locally controlled, and if the plate being read isn't in the database the image is deleted after three minutes. The amendment adds a reference to the state police and it changes references to vehicles, rather than persons. The amendment also adds additional safeguards to prevent captured data from being transmitted anywhere and ensures that such data is destroyed after purging and not used or shared for any other purpose. The ability to utilize this technology will make law enforcement more efficient and increases their ability to respond to critical incidents. Vote 13-4.

**Amendment (0418h)**

Amend RSA 261:75-b, II as inserted by section 2 of the bill by replacing it with the following:

II. Authority to obtain and issue LPR devices and to administer a documented training process for acquiring proficiency in their operation and compliance with federal and state regulations and other appropriate legal mandates shall be vested in the head of the state police or the chief of police, director, county sheriff, or other head of a law enforcement agency or his or her designee. Only devices authorized by the head of the law enforcement agency shall be approved for its use by its officers and the devices shall be maintained in accordance with the manufacturer's recommendations. Such policy or policies shall conform to the requirements of this chapter.

Amend RSA 261:75-b, V as inserted by section 2 of the bill by replacing it with the following:

V. LPR operation and access to LPR collected data shall be for official law enforcement purposes only. LPR devices shall only be used to scan, detect, and identify license plate numbers for the purpose of identifying:

- (a) Stolen vehicles.
- (b) Vehicles associated with wanted, missing, or endangered persons.
- (c) Vehicles registered to a person against whom there is an outstanding warrant.
- (d) Vehicles registered to persons whose drivers' licenses, driving privileges, or vehicle registrations are under suspension or revocation.
- (e) Vehicles registered to persons suspected of criminal or terrorist acts, transportation of stolen items or contraband, or motor vehicle violations.
- (f) Vehicles in violation of commercial trucking requirements.
- (g) Vehicles involved in case-specific criminal investigative surveillance.
- (h) Vehicles involved in homicides, shootings, and other major crimes or incidents.
- (i) Vehicles in the vicinity of a recent crime that may be connected to the crime.

Amend RSA 261:75-b, VIII as inserted by section 2 of the bill by replacing it with the following:

VIII. Records of number plates read by each LPR shall not be recorded or transmitted anywhere and shall be purged from the system within 3 minutes of their capture in such a manner that they are destroyed and are not recoverable, unless an alarm resulted in an arrest, a citation, or protective custody, or identified a vehicle that was the subject of a missing person or wanted broadcast, in which case the data on the particular number plate may be retained until final court disposition of the case. Captured license plate data obtained for the purposes described in paragraph V shall not be used or shared for any other purpose.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Sylvia spoke against.

Rep. Horn spoke in favor.

Rep. Burt spoke against and yielded to questions.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

## YEAS 175 NAYS 112

### YEAS - 175

#### BELKNAP

Dumais, Russell  
Russell, David

Fields, Dennis  
Tilton, Franklin

Flanders, Donald

Gallagher, Brian

#### CARROLL

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Butler, Edward  
Parker, Harold

Cordelli, Glenn  
Schmidt, Stephen

McCarthy, Frank  
Ticehurst, Susan

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Hunt, John  
Sad, Tara

Bordenet, John  
Johnsen, Gladys  
Shepardson, Marjorie

#### COOS

Fothergill, John  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

#### GRAFTON

Abel, Richard  
Hennessey, Erin  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Smith, Suzanne

Darrow, Stephen  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Biggie, Barbara  
Cohen, Alan  
Freitas, Mary  
Gonzalez, Carlos  
Hansberry, Daniel  
Jack, Martin  
McNamara, Richard  
Palmer, Barry  
Porter, Marjorie  
Shaw, Barbara  
Takesian, Charlene

Balcom, John  
Brown, Pamela  
Cornell, Patricia  
Gagne, Larry  
Gorman, Mary  
Heath, Mary  
Long, Patrick  
Notter, Jeanine  
Pellegrino, Anthony  
Proulx, Mark  
Snow, Kendall  
Ulery, Jordan

Baroody, Benjamin  
Christensen, Chris  
Donovan, Daniel  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Manley, Jonathan  
O'Brien, Michael  
Peterson, Ken  
Roberts, Carol  
Soucy, Timothy  
Walsh, Robert

Beaulieu, Jane  
Christiansen, Lars  
Edelblut, Frank  
Goley, Jeffrey  
Halstead, Carolyn  
Hinch, Richard  
Marston, Dick  
Ober, Lynne  
Pierce, David  
Shattuck, Gilman  
Sullivan, Daniel

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
Henle, Paul  
Kotowski, Frank  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Horn, Werner  
Luneau, David  
Rice, Chip  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Karrick, David  
MacKay, James  
Saunderson, George

Carson, Clyde  
Frazer, June  
Kenison, Linda  
Myler, Mel  
Schuett, Dianne

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
DiFranco, Debbie  
Friel, William  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Thomas, Douglas  
Weyler, Kenneth

Azarian, Gary  
Christie, Andrew  
Doucette, Fred  
Griffin, Mary  
Major, Norman  
McMahon, Charles  
Pantelakos, Laura  
Ward, Gerald

Barnes, Arthur  
DeSimone, Debra  
Ferrante, Beverly  
Hoelzel, Kathleen  
Matthews, Carolyn  
Milz, David  
Rice, Frederick  
Ward, Joanne

Berrien, Skip  
Devine, James  
Francese, Paula  
Katsakiores, Phyllis  
McBeath, Rebecca  
Nigrello, Robert  
Sytek, John  
Welch, David

**STRAFFORD**

Berube, Roger  
DiSesa, Len  
Rollo, Deanna  
Sprague, Dale

Bickford, David  
Gray, James  
Schmidt, Peter  
Stevens, Audrey

Burton, Wayne  
Horrigan, Timothy  
Southworth, Thomas  
Treleven, Susan

Cheney, Catherine  
Kaen, Naida  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Oxenham, Lee

Grenier, James  
Smith, Steven

**NAYS - 112**

**BELKNAP**

Aldrich, Glen  
LeBreche, Shari

Fraser, Valerie  
Spanos, Peter

Howard, Jr., Raymond  
Sylvia, Michael

Hurt, George  
Vadney, Herbert

**CARROLL**

Avellani, Lino

Comeau, Ed

Nelson, Bill

Wright, Ted

**CHESHIRE**

Ley, Douglas

McConnell, James

Roberts, Kris

Tilton, Benjamin

**COOS**

Rideout, Leon

**GRAFTON**

Hull, Robert

Ingretson, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Belanger, James	Boehm, Ralph
Burt, John	Byron, Frank	Christie, Rick	Eastman, Eric
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Gould, Linda
Griffin, Barbara	Hansen, Peter	Hogan, Edith	Hopper, Gary
Lachance, Joseph	LeBrun, Donald	McCarthy, Peggy	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Ober, Russell
Ohm, Bill	Parison, James	Rice, Kimberly	Rouillard, Claire
Sanborn, Laurie	Schleien, Eric	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Smith, Timothy	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Williams, Kermit	Wolf, Terry	

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Kuch, Bill	Long, Douglas	Marple, Richard	McGuire, Carol
McGuire, Dan	Seaworth, Brian	Turcotte, Alan	Walsh, Thomas

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Cook, Allen
Cushing, Robert	Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Green, Dennis	Harris, Jeffrey	Heffron, Frank
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Spillane, James	Tilton, Rio	True, Chris	Vose, Michael

**STRAFFORD**

Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don
Mullen, John	Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt

**SULLIVAN**

Rollins, Skip

and the committee report was adopted and ordered to third reading.

**HB 1358**, regulating engine idling of certain vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. While the majority of the committee does understand the desire to save on fuel usage by limiting excessive idling, this would be an unenforceable law that does not have any penalty for failure to obey the law. Vote 14-3.

Committee report adopted.

**HB 1257**, relative to revocation or suspension of a driver's license because of physical impairment. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill would delay the DMV's ability to suspend a driver's license for a medical reason. A doctor would have to recommend suspension before DMV could act, bringing liability issues into play for the physician. The current practice allows for suspension with a prompt hearing and review of the medical circumstances. The majority of the committee believes changing this method could result in dangerous delays in responding to unsafe driving conditions. Vote 18-1. Committee report adopted.

**HB 1445-FN**, relative to tinted windows on motor vehicles. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for the Majority of Transportation. This bill allows aftermarket tinting of side windows, subject to an annual fee. The majority of the committee feels that the time has come for tinted side windows. Forty-six other states have allowed this and there have been no issues regarding the safety of law enforcement because the tinting (no more than 35%) is such that you can readily see inside the vehicle. This bill allows no more tint than our law enforcement officers currently encounter from the thousands of tourists coming to our state. Vote 12-6.

Rep. Michael O'Brien for the Minority of Transportation. This bill would allow aftermarket tinting of a vehicle's side windows (driver and passenger) up to a 35% limit of light transmittance. For years such a bill has come before the Transportation Committee to allow more tinting than what comes from the factory. The main opponents to this novelty are the New Hampshire Department of Safety and the New Hampshire Association of Chiefs of Police. Their objection is one of officer safety. Therefore in support of the men and women who serve and protect, the minority opposes this bill as a matter of safety by not placing our law enforcement officers in a situation that could be deadly. Currently there is a system that would allow window tint for medical necessity at zero cost to the citizens. This bill upon passage will increase the consumers' cost to \$10 annually for each vehicle.

Majority committee report adopted and ordered to third reading.

**HB 1509**, relative to the definition of "houseboat." **INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for Transportation. This bill would have changed the definition of a houseboat to eliminate a sailboat used by maritime youth training. This would have allowed such designated training craft overnight mooring. Current law does allow a vessel to be moored at night with a person awake and on watch. Vote 15-3.

Committee report adopted.

**HB 1192-FN**, repealing the education tax credit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bill Ohm for the Majority of Ways and Means. This bill represents a third attempt at repeal since the Education Tax Credit Scholarship program went into effect. The bill sponsors continue to contend that the program is unconstitutional which flies in the face of national legal outcomes with similar programs. Nationally, no court (up to and including the US Supreme Court) has ever ruled the programs violate the Constitution and that includes many who have the similar Blaine Amendment the NH Constitution contains. The committee heard testimony from the NH Department of Education and the NH Department of Revenue Administration each who reported that the program works smoothly, does not require additional personnel, and costs little to nothing to operate. Low-income parents have reported high satisfaction and, best of all, 238 children to date have received scholarships and are attending to their schooling in places that fit their needs. As with ANY student in NH, rich or poor, with or without a scholarship, who attends a school other than the public school assigned to him/her, the state does not provide adequacy payments to that school district AND SO this program statewide has saved the NH state budget over \$300,000 since inception. The majority sees NO reason for the program to be discontinued. Vote 11-8.

Rep. Mary Cooney for the Minority of Ways and Means. This law has been in effect since June 27, 2012 with the passage of SB 372 (Ch. 287, Laws of 2012). The committee heard positive testimony from one of the families that had been able to utilize these small tax credits. Because the municipalities lose adequacy grants when they lose students due to this program, the net result is that the state has not seen a loss of revenue so far, but the towns have. The law was challenged in Superior Court on the basis of separation of church and state, but on appeal to the NH Supreme Court it was dismissed due to the plaintiffs having "no standing." Since there was no ruling on the constitutionality of the education tax credit that question still remains unchallenged. The minority believes this law is a backdoor to funding religious schools with New Hampshire business tax revenue. The other consideration is that businesses which take advantage of this law can deduct 85% of their donation amount directly from the Business Profits Tax and/or Business Enterprise Tax that they owe to the State of New Hampshire. They can also claim that same amount as a charitable deduction on their federal tax return. The result can be a net gain to the businesses, leaving them with no skin in the game. This tax credit essentially allows businesses to choose where their tax money goes, not the legislature. Even though the amount of scholarships used at the present time is low, the law allows up to \$5.1 million to be used. When asked how the public schools could be improved to meet the needs of her other children, a participating mother replied, "Teachers should receive more respect, and the state should put more funding into the public schools."

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 189 NAYS 117****YEAS - 189****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
McConkey, Mark  
Ticehurst, Susan

Comeau, Ed  
Nelson, Bill  
Umberger, Karen

Cordelli, Glenn  
Parker, Harold  
Wright, Ted

McCarthy, Frank  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Mann, John

McConnell, James

Tilton, Benjamin

**COOS**

Fothergill, John  
Thomas, Yvonne

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Darrow, Stephen  
Ingbreton, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Donovan, Daniel  
Estevez, Eric  
Gould, Linda  
Hansen, Peter  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene

Ammon, Keith  
Boehm, Ralph  
Christiansen, Lars  
Eastman, Eric  
Ferreira, Elizabeth  
Griffin, Barbara  
Hinch, Richard  
LeBrun, Donald  
Moore, Josh  
Ober, Lynne  
Parison, James  
Proulx, Mark  
Schleien, Eric  
Smith, Gregory  
Twombly, Timothy

Balcom, John  
Burt, John  
Christie, Rick  
Edelblut, Frank  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
Marston, Dick  
Murotake, David  
Ober, Russell  
Pellegrino, Anthony  
Rice, Kimberly  
Seidel, Carl  
Sullivan, Victoria  
Ulery, Jordan

Belanger, James  
Byron, Frank  
Coffey, James  
Edwards, Elizabeth  
Gonzalez, Carlos  
Halstead, Carolyn  
Hopper, Gary  
McCarthy, Peggy  
Murphy, Keith  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Shaw, Barbara  
Sweeney, Shawn  
Wolf, Terry

**MERRIMACK**

French, Harold  
Horn, Werner  
Long, Douglas  
McGuire, Dan

Hess, David  
Karrick, David  
Marple, Richard  
Seaworth, Brian

Hill, Gregory  
Kotowski, Frank  
Martin, John  
Wheeler, Deborah

Hoell, J.R.  
Kuch, Bill  
McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Chase, Francis  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence

Abramson, Max  
Bates, David  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis

Azarian, Gary  
Bush, Carol  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter

Baldasaro, Alfred  
Cardon, G. Thomas  
Cook, Allen  
Doucette, Fred  
Friel, William  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman



Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Spillane, James  
True, Chris  
Weyler, Kenneth

McKinney, Betsy  
Osborne, Jason  
Potucek, John  
Sytek, John  
Vose, Michael

McMahon, Charles  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Ward, Joanne

Milz, David  
Pantelakos, Laura  
Rice, Frederick  
Tilton, Rio  
Welch, David

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Gray, James  
Kaczynski, Jr., Thomas  
Treleaven, Susan

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard

DeLemus, Susan  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 117

### CARROLL

Buco, Thomas

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Sad, Tara

Bordenet, John  
Ley, Douglas  
Shepardson, Marjorie

### COOS

Hatch, William

Moynihan, Wayne

Theberge, Robert

### GRAFTON

Abel, Richard  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Almy, Susan  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Maes, Kevin  
Sykes, George

Ford, Susan  
Massimilla, Linda  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Cohen, Alan  
Gidge, Kenneth  
Harvey, Suzanne  
Judy, Jean  
McNamara, Richard  
Rosenwald, Cindy  
Soucy, Timothy  
Williams, Kermit

Baroody, Benjamin  
Cornell, Patricia  
Goley, Jeffrey  
Heath, Mary  
Long, Patrick  
O'Brien, Michael  
Shattuck, Gilman  
Sullivan, Daniel

Beaulieu, Jane  
Cote, David  
Gorman, Mary  
Herbert, Christopher  
Mangipudi, Latha  
Porter, Marjorie  
Smith, Timothy  
Vann, Ivy

Brown, Pamela  
Freitas, Mary  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
Roberts, Carol  
Snow, Kendall  
Walsh, Robert

### MERRIMACK

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Kenison, Linda  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Luneau, David  
Rice, Chip  
Turcotte, Alan

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
MacKay, James  
Saunderson, George

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Myler, Mel  
Schuett, Dianne

### ROCKINGHAM

Berrien, Skip  
DiFranco, Debbie  
Lovejoy, Patricia

Cahill, Michael  
Francese, Paula  
McBeath, Rebecca

Cali-Pitts, Jacqueline  
Gordon, Pamela  
Simpson, Alexis

Cushing, Robert  
Heffron, Frank  
Ward, Gerald

**STRAFFORD**

Baber, William  
DiSesa, Len  
Southworth, Thomas

Berube, Roger  
Horrigan, Timothy  
Spang, Judith

Bixby, Peter  
Kaen, Naida  
Stevens, Audrey

Burton, Wayne  
Schmidt, Peter  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne

and the majority committee report was adopted.

Rep. Ticehurst voted Yea and intended to vote Nay.

**HB 1198-FN-L**, relative to the valuation of poles and conduits owned by telephone utilities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for the Majority of Ways and Means. The majority amendment replaces the bill and builds on the work of the Assessing Standards Board (ASB) to develop a methodology for assessing telecommunication poles and conduits. The original bill was merely a framework that the ASB used to develop recommendations. The legislature allowed, for the first time, municipalities to treat telecommunication poles and conduits as real property and be taxed as such starting in 2011. The only problem was that no guidance was given as to how that should be done. The result was numerous methodologies being employed by different assessors throughout the state with average pole assessments in communities ranging from \$107 to \$2,100 based upon Department of Revenue Administration (DRA) scrubbed data. These wide-ranging assessment values have led to hundreds of lawsuits each year between municipalities and the various telecommunication companies that operate in New Hampshire at great legal expense to all involved. After months of study the full ASB had no choice but to vote that there was a problem and that a solution was required. It became clear that a legislative solution was required to a problem in part created by the legislature. An ASB subcommittee concluded that telecommunication poles and conduits are a specialty property and should be stated as such in RSA 75:1, which lists exceptions to real property being assessed based upon market value. Such an exception was added in the amendment. In addition, research of this issue showed that other states have grappled with this issue and concluded that a simple formula be adopted: the replacement cost new (RCN) of the telecommunication pole and conduit, less depreciation calculated on a straight-line basis for a period of a certain number of years with a residual value of a certain percent. The amendment also calls for the DRA to publish by July 1 of each year the RCN for all height poles using a national published telecommunications standard cost data guide (which includes installation cost) calculated using a five-year rolling average. The ASB subcommittee, the ASB full board, and the sponsors of this bill all agreed upon these principles and that the residual value of a pole be set at 20 percent. Further research found that the Federal Communications Commission uses 25-35 years as depreciation lengths for poles and many other states come in close to a length of 30 years. Based upon this evidence, a depreciation of 30 years was chosen based upon fact. This bill will provide the much-needed guidance to municipalities so that pole and conduit assessments are done in a fair and consistent basis across all our communities. This bill will put an end to all the hundreds of lawsuits that are costing the municipalities and the industry thousands of dollars in legal fees and clogging the courts with these cases. Vote 18-5.

Rep. Susan Almy for the Minority of Ways and Means. Six years ago the legislature ended years of battle by voting to allow the towns to include telephone poles and conduits in local property tax. Existing law clearly states that the poles and conduits should be assessed as real estate, not as personal property. In other states, because they are treated as personal property, equivalent to machinery rather than land and buildings, they are assessed using the normal business depreciation methods, which reduce an asset's useful value to zero or near zero well before the asset is junked. In our statewide utility property tax, each regulated utility business is assessed as a whole by the income and expense method, which calculates all assets according to business accounting; buildings, transfer stations, poles and conduits among them; and assigns property value according to the firm's net profit. When the legislature decided to let the municipalities tax telephone poles, it left in place in RSA 72:8-a this structure: "The valuation of such property shall be based on its value as real estate." This bill and both majority and minority amendments comply. Real estate value is based on market value, the useful value left in the building or land. Poles last between 50-75 years

on average in our state. The majority amendment would reduce the poles' taxable value to 20% of replacement value within 24 years (a nominal 30-year standard), and leave it at that during the next 25-80 years. But they are fully functional poles. The legislatively created Assessing Standards Board was asked to review the issue and come up with recommendations, and it voted for a 50-year standard. The minority amendment says 40 years, because half of that board's subcommittee voted for that as a compromise. The board wanted to be kept in the process, writing the JLCAR rules and holding an annual public hearing on the values; the majority amendment removes them, the minority one restores them. The board wanted specific information on the poles provided to each town; the majority amendment makes it optional, the minority one requires it. These differences are significant to the appropriate real estate assessing of poles. The minority amendment creates the same stable playing field that the majority amendment aspires to, and may well better avoid continuing lawsuits. It allows the large number of municipalities that have been assessing in the middle of the pack to retain their property tax revenue under the new system, but it requires the assessing outliers to lower their assessments. And it has a better chance of final passage and durable life.

### **Majority Amendment (0528h)**

Amend the bill by replacing all after section 1 with the following:

2 New Section; Property Taxation; Valuation of Poles and Conduits Owned by Telephone Utilities. Amend RSA 72 by inserting after section 8-b the following new section:

72:8-c Valuation of Telecommunications Poles and Conduits. The value of poles or conduits employed in the transmission of telecommunication owned in whole or in part by telephone utilities, as defined in RSA 362:7, or providers of Voice over Internet Protocol ("VoIP") service or IP-enabled service, each as defined in RSA 362:7, or commercial mobile radio services for purposes of tax assessment against said entity, shall be determined by the following formula: the Replacement Cost New (RCN) of the telecommunications pole or conduit, less depreciation calculated on a straight-line basis for a period of 30 years with a residual value of 20 percent. On or before July 1 of the tax year, the department of revenue administration shall provide to every municipality a schedule of telecommunications pole and conduit RCN, using national published telecommunications standard cost data guides calculated annually using a 5-year rolling average.

3 New Section; Taxable Property; Inventory; Telecommunications Poles and Conduits. Amend RSA 74 by inserting after section 18 the following new section:

74:19 Inventories of Telecommunications Poles and Conduits.

I. In order to properly determine the value of property under RSA 72:8-c, an inventory of telecommunications poles and conduits shall be filed with the department of revenue administration and with the municipality where the property is located by each owner of telecommunications poles and conduits. Each form may include the following information:

(a) Names and addresses of a contact person if the owner is a trust or corporation.  
(b) Detailed description of the telecommunication poles using most recent readily available information held by the owner.

(c) Description of conduits using most recent readily available information held by the owner.

(d) The filer's dated signature certifying that the information indicated on the form is true.

II. The inventory of telecommunications poles and conduits required by this section shall be filed with the department of revenue administration and with the municipality where the property is located by the owner of telecommunications poles and conduits no later than July 1. Persons required to file the inventory of telecommunications poles and conduits who willfully fail to file or willfully make false statements on the forms shall be guilty of a violation.

III. Any person or corporation required to file an inventory of telecommunications poles and conduits shall be subject to the provisions of RSA 74:12.

4 Reference Change. Amend RSA 75:1 to read as follows:

75:1 How Appraised. The selectmen shall appraise open space land pursuant to RSA 79-A:5, open space land with conservation restrictions pursuant to RSA 79-B:3, land with discretionary easements pursuant to RSA 79-C:7, residences on commercial or industrial zoned land pursuant to RSA 75:11, earth and excavations pursuant to RSA 72-B, land classified as land under qualifying farm structures pursuant to RSA 79-F, buildings and land appraised under RSA 79-G as qualifying historic buildings, qualifying chartered public school property appraised under RSA 79-H, residential rental property

subject to a housing covenant under the low-income housing tax credit program pursuant to RSA 75:1-a, renewable generation facility property subject to a voluntary payment in lieu of taxes agreement under RSA 72:74 as determined under said agreement, **telecommunications poles and conduits pursuant to RSA 72:8-c**, and all other taxable property at its market value. Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property, the value of which cannot be determined by personal examination.

5 Effective Date. This act shall take effect upon its passage.

Reps. Byron and Cooney spoke against.

Rep. Abrami spoke in favor.

Rep. Almy requested a roll call; sufficiently seconded.

## YEAS 151 NAYS 164

### YEAS - 151

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

#### CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Schmidt, Stephen	Umberger, Karen	Wright, Ted

#### CHESHIRE

Eaton, Daniel	Hunt, John	McConnell, James	Roberts, Kris
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#### COOS

Richardson, Herbert	Rideout, Leon	Tholl, John
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#### GRAFTON

Gionet, Edmond	Hull, Robert	Ingbretson, Paul	Johnson, Eric
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#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Baroody, Benjamin
Barry, Richard	Belanger, James	Biggie, Barbara	Burt, John
Christensen, Chris	Christiansen, Lars	Donovan, Daniel	Estevez, Eric
Ferreira, Elizabeth	Gagne, Larry	Goley, Jeffrey	Gonzalez, Carlos
Gould, Linda	Haefner, Robert	Hansen, Peter	Hinch, Richard
Hogan, Edith	Hopper, Gary	Lachance, Joseph	LeBrun, Donald
Leishman, Peter	McCarthy, Peggy	McLean, Mark	Moore, Josh
Murotake, David	Notter, Jeanine	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Proulx, Mark	Rice, Kimberly	Schleien, Eric	Seidel, Carl
Simmons, Tammy	Sullivan, Victoria	Sweeney, Shawn	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	

#### MERRIMACK

French, Harold	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Martin, John	McGuire, Carol	McGuire, Dan	Rice, Chip
Seaworth, Brian			

#### ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Baldasaro, Alfred	Bates, David
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James

Doucette, Fred  
Gannon, William  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Thomas, Douglas  
Ward, Joanne

Duarte, Joe  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
Osborne, Jason  
Rice, Frederick  
Tilton, Rio  
Webb, James

Emerick, J. Tracy  
Harris, Jeffrey  
Itse, Daniel  
Lovejoy, Patricia  
McMahon, Charles  
Packard, Sherman  
Schroadter, Adam  
True, Chris  
Welch, David

Friel, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Spillane, James  
Vose, Michael  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Kaczynski, Jr., Thomas  
Wuelper, Kurt

Bickford, David  
Gray, James  
Leeman, Don

Cheney, Catherine  
Horrigan, Timothy  
Pitre, Joseph

DeLemus, Susan  
Jones, Laura  
Turcotte, Leonard

### SULLIVAN

Smith, Steven

### NAYS - 164 BELKNAP

Fraser, Valerie

Spanos, Peter

### CARROLL

Avellani, Lino  
Ticehurst, Susan

Buco, Thomas

Butler, Edward

Parker, Harold

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Tatro, Bruce

Ames, Richard  
Johnsen, Gladys  
Robertson, Timothy  
Tilton, Benjamin

Berch, Paul  
Ley, Douglas  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Mann, John  
Shepardson, Marjorie

### COOS

Fothergill, John  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

### GRAFTON

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

Almy, Susan  
Ford, Susan  
Ladd, Rick  
Smith, Suzanne

Bailey, Brad  
Hennessey, Erin  
Maes, Kevin  
Sykes, George

Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Byron, Frank  
Cornell, Patricia  
Edeblut, Frank  
Griffin, Barbara  
Harvey, Suzanne  
Jeudy, Jean  
Marston, Dick  
Peterson, Ken  
Rosenwald, Cindy  
Shaw, Barbara  
Soucy, Timothy  
Williams, Kermit

Beaulieu, Jane  
Christie, Rick  
Cote, David  
Edwards, Elizabeth  
Guerette, C. Lee  
Heath, Mary  
Long, Patrick  
McNamara, Richard  
Pierce, David  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Daniel

Boehm, Ralph  
Coffey, James  
Danielson, David  
Freitas, Mary  
Halstead, Carolyn  
Herbert, Christopher  
Mangipudi, Latha  
Murphy, Keith  
Porter, Marjorie  
Sanborn, Laurie  
Smith, Timothy  
Vann, Ivy

Brown, Pamela  
Cohen, Alan  
Eastman, Eric  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
O'Brien, Michael  
Roberts, Carol  
Shattuck, Gilman  
Snow, Kendall  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Marple, Richard	Myler, Mel	Ratzki, Mario	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wheeler, Deborah

**ROCKINGHAM**

Abramson, Max	Barnes, Arthur	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cook, Allen	Cushing, Robert
DiFranco, Debbie	Ferrante, Beverly	Francesse, Paula	Gordon, Pamela
Green, Dennis	Heffron, Frank	McBeath, Rebecca	Milz, David
Pantelakos, Laura	Prudhomme-O'Brien, Katherine	Simpson, Alexis	Sytek, John
Ward, Gerald			

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Groen, Warren	Hannon, Joseph	Kaen, Naida
Mullen, John	Schmidt, Peter	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew		

and the majority committee amendment failed.

Rep. Almy offered minority committee amendment (0830h).

**Minority Amendment (0830h)**

Amend the bill by replacing all after section 1 with the following:

2 New Section; Property Taxation; Valuation of Poles and Conduits Owned by Telephone Utilities. Amend RSA 72 by inserting after section 8-b the following new section:

72:8-c Valuation of Telecommunications Poles and Conduits. The value of poles or conduits employed in the transmission of telecommunication owned in whole or in part by telephone utilities, as defined in RSA 362:7, or providers of Voice over Internet Protocol ("VoIP") service or IP-enabled service, each as defined in RSA 362:7, or commercial mobile radio services for purposes of tax assessment against said entity, shall be determined by the following formula: the Replacement Cost New (RCN) of the telecommunications pole or conduit, less depreciation calculated on a straight-line basis for a period of 40 years with a residual value of 20 percent. On or before July 1 of the tax year, the department of revenue administration shall provide to every municipality a schedule of telecommunications pole and conduit RCN, using national published telecommunications standard cost data guides calculated annually using a 5-year rolling average.

3 New Section; Taxable Property; Inventory; Telecommunications Poles and Conduits. Amend RSA 74 by inserting after section 18 the following new section:

74:19 Inventories of Telecommunications Poles and Conduits.

I. In order to properly determine the value of property under RSA 72:8-c, an inventory of telecommunications poles and conduits shall be filed with the department of revenue administration and with the municipality where the property is located by each owner of telecommunications poles and conduits. Each form shall at a minimum include the following information:

(a) Names and addresses of a contact person if the owner is a trust or corporation.

(b) Detailed description of the telecommunication poles using most recent readily available information held by the owner.

(c) Description of conduits using most recent readily available information held by the owner.

(d) The filer's dated signature certifying that the information indicated on the form is true.

II. The inventory of telecommunications poles and conduits required by this section shall be filed with the department of revenue administration and with the municipality where the property is located by the owner of telecommunications poles and conduits no later than July 1. Persons required to file the inventory of telecommunications poles and conduits who willfully fail to file or willfully make false statements on the forms shall be guilty of a violation.

III. Any person or corporation required to file an inventory of telecommunications poles and conduits shall be subject to the provisions of RSA 74:12.

4 Reference Change. Amend RSA 75:1 to read as follows:

75:1 How Appraised. The selectmen shall appraise open space land pursuant to RSA 79-A:5, open space land with conservation restrictions pursuant to RSA 79-B:3, land with discretionary easements pursuant to RSA 79-C:7, residences on commercial or industrial zoned land pursuant to RSA 75:11, earth and excavations pursuant to RSA 72-B, land classified as land under qualifying farm structures pursuant to RSA 79-F, buildings and land appraised under RSA 79-G as qualifying historic buildings, qualifying chartered public school property appraised under RSA 79-H, residential rental property subject to a housing covenant under the low-income housing tax credit program pursuant to RSA 75:1-a, renewable generation facility property subject to a voluntary payment in lieu of taxes agreement under RSA 72:74 as determined under said agreement, *telecommunications poles and conduits pursuant to RSA 72:8-c*, and all other taxable property at its market value. Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property, the value of which cannot be determined by personal examination.

5 New Subparagraph; Assessing Standards Board; Rulemaking; Poles and Conduit. Amend RSA 21-J:14-b, I-a by inserting after subparagraph (d) the following new subparagraph:

(e) The annual determination of a schedule of telecommunications pole and conduit current use values pursuant to RSA 72:8-c, and the local use thereof. Such schedule shall include the appropriate total depreciation based on actual age of poles and conduit.

6 Assessing Standards Board; Public Forum. Amend RSA 21-J:14-b, II to read as follows:

II. All standards and practices developed or identified by the board, pursuant to this section, shall be reviewed and updated annually. The board shall hold at least one public forum annually to receive general comment through verbal and written testimony on assessing standards and practices, *and one public forum dedicated to the annual determination of telecommunications pole and conduit values*. A quorum of the board shall not be required to hold such public forum.

7 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes the valuation for purposes of the property tax assessment of poles or conduit employed in the transmission of telecommunication owned in whole or in part by telephone utilities. The bill also grants rulemaking authority to the assessing standards board concerning telecommunications pole and conduit current use values and depreciation.

Rep. Abrami spoke in favor and yielded to questions.

Rep. Almy spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 283 NAYS 31**

### YEAS - 283

#### BELKNAP

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Tilton, Franklin

Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

Fraser, Valerie  
Russell, David

### CARROLL

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Comeau, Ed  
Nelson, Bill  
Umberger, Karen

Cordelli, Glenn  
Parker, Harold  
Wright, Ted

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Abbott, Michael  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
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Ames, Richard  
Eaton, Daniel  
McConnell, James  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Fothergill, John  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Richardson, Herbert  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Ingbreton, Paul  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Gionet, Edmond  
Johnson, Eric  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Hennessey, Martha  
Ladd, Rick  
Smith, Suzanne

Darrow, Stephen  
Higgins, Patricia  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Biggie, Barbara  
Christensen, Chris  
Cohen, Alan  
Donovan, Daniel  
Ferreira, Elizabeth  
Gonzalez, Carlos  
Guerette, C. Lee  
Harvey, Suzanne  
Hogan, Edith  
Lachance, Joseph  
Mangipudi, Latha  
McLean, Mark  
O'Brien, Michael  
Pellegirino, Anthony  
Proulx, Mark  
Seidel, Carl  
Smith, Timothy  
Sullivan, Victoria  
Walsh, Robert

Ammon, Keith  
Barry, Richard  
Boehm, Ralph  
Christiansen, Lars  
Cornell, Patricia  
Edelblut, Frank  
Freitas, Mary  
Gorman, Mary  
Haefner, Robert  
Heath, Mary  
Hopper, Gary  
LeBrun, Donald  
Manley, Jonathan  
McNamara, Richard  
Ohm, Bill  
Peterson, Ken  
Roberts, Carol  
Shattuck, Gilman  
Snow, Kendall  
Takesian, Charlene  
Williams, Kermit

Backus, Robert  
Beaulieu, Jane  
Brown, Pamela  
Christie, Rick  
Cote, David  
Edwards, Elizabeth  
Gagne, Larry  
Gould, Linda  
Hansberry, Daniel  
Herbert, Christopher  
Jack, Martin  
Leishman, Peter  
Marston, Dick  
Moore, Josh  
Palmer, Barry  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Soucy, Timothy  
Twombly, Timothy  
Wolf, Terry

Balcom, John  
Belanger, James  
Byron, Frank  
Coffey, James  
Danielson, David  
Estevez, Eric  
Goley, Jeffrey  
Griffin, Barbara  
Hansen, Peter  
Hinch, Richard  
Judy, Jean  
Long, Patrick  
McCarthy, Peggy  
Murotake, David  
Parison, James  
Porter, Marjorie  
Rouillard, Claire  
Smith, Gregory  
Sullivan, Daniel  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Harold  
Hill, Gregory  
Kenison, Linda  
Luneau, David  
McGuire, Dan  
Saunderson, George  
Turcotte, Alan

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Hirsch, Geoffrey  
Kotowski, Frank  
MacKay, James  
Myler, Mel  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Horn, Werner  
Kuch, Bill  
Martin, John  
Ratzki, Mario  
Seaworth, Brian

Carson, Clyde  
French, Barbara  
Hess, David  
Karrick, David  
Long, Douglas  
McGuire, Carol  
Rice, Chip  
Shurtleff, Stephen

**ROCKINGHAM**

Abrami, Patrick  
Berrien, Skip  
Cali-Pitts, Jacqueline  
Christie, Andrew

Abramson, Max  
Borden, David  
Cardon, G. Thomas  
Cook, Allen

Azarian, Gary  
Bush, Carol  
Chase, Francis  
Cushing, Robert

Barnes, Arthur  
Cahill, Michael  
Chirichiello, Brian  
Dean-Bailey, Yvonne



DeSimone, Debra  
Duarte, Joe  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Peckham, Michele  
Simpson, Alexis  
Tilton, Rio  
Ward, Joanne

Devine, James  
Emerick, J. Tracy  
Gannon, William  
Harris, Jeffrey  
Introne, Robert  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Potucek, John  
Spillane, James  
True, Chris  
Webb, James

DiFranco, Debbie  
Ferrante, Beverly  
Gordon, Pamela  
Heffron, Frank  
Itse, Daniel  
Matthews, Carolyn  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Vose, Michael  
Welch, David

Doucette, Fred  
Francese, Paula  
Green, Dennis  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McBeath, Rebecca  
Nigrello, Robert  
Pantelakos, Laura  
Schroadter, Adam  
Thomas, Douglas  
Ward, Gerald  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Bixby, Peter  
Graham, Robert  
Kaczynski, Jr., Thomas  
Schmidt, Peter  
Stevens, Audrey  
Wuelper, Kurt

Beaudoin, Steven  
Burton, Wayne  
Gray, James  
Kaen, Naida  
Southworth, Thomas  
Treleven, Susan

Berube, Roger  
Cheney, Catherine  
Hannon, Joseph  
Leeman, Don  
Spang, Judith  
Turcotte, Leonard

Bickford, David  
DiSesa, Len  
Jones, Laura  
Pitre, Joseph  
Sprague, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Grenier, James  
Schmidt, Andrew

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

### NAYS - 31

### BELKNAP

Aldrich, Glen

Howard, Jr., Raymond

Spanos, Peter

### CARROLL

### CHESHIRE

### GRAFTON

Bailey, Brad

Hennessey, Erin

Hull, Robert

### HILLSBOROUGH

Burt, John  
Notter, Jeanine  
Simmons, Tammy

Eastman, Eric  
Rice, Kimberly  
Sweeney, Shawn

Halstead, Carolyn  
Sanborn, Laurie  
Ulery, Jordan

Murphy, Keith  
Schleien, Eric

### MERRIMACK

Frazer, June

Hoell, J.R.

Marple, Richard

### ROCKINGHAM

Baldasaro, Alfred  
Rice, Frederick

Bates, David

Kappler, Lawrence

Kolodziej, Walter

### STRAFFORD

Groen, Warren

Horrigan, Timothy

Mullen, John

### SULLIVAN

Laware, Thomas  
and the minority committee amendment was adopted.  
Rep. Cooney offered floor amendment (0956h).

**Floor Amendment (0956h)**

Amend the bill by inserting after section 6 the following, and renumbering the original section 7 as section 8:

7 Applicability; Valuation of Telecommunications Poles and Conduits. With respect to poles or conduits that are the subject of any action for abatement under RSA 76 or any appeal under RSA 76:16-a or 76:17 that remains pending as of the effective date of this act, the provisions of RSA 72:8-c as inserted by section 2 of this act shall apply only after all such actions, including all associated claims relative to the taxation of the poles and conduits, have been withdrawn or voluntarily dismissed with prejudice.

Rep. Byron spoke in favor.

Rep. Abrami spoke against and yielded to questions.

Rep. Almy requested a roll call; sufficiently seconded.

**YEAS 112 NAYS 202****YEAS - 112****CARROLL**

Buco, Thomas

Butler, Edward

Parker, Harold

Ticehurst, Susan

**CHESHIRE**

Berch, Paul

Mann, John

Sad, Tara

Chase, Cynthia

Pearson, William

Tatro, Bruce

Johnsen, Gladys

Roberts, Kris

Tilton, Benjamin

Ley, Douglas

Robertson, Timothy

Weber, Lucy

**COOS**

Fothergill, John  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Almy, Susan  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Ladd, Rick  
Sykes, George

Ford, Susan  
Maes, Kevin  
Townsend, Charles

Gionet, Edmond  
Massimilla, Linda  
White, Andrew

**HILLSBOROUGH**

Ammon, Keith  
Byron, Frank  
Freitas, Mary  
Hansberry, Daniel  
Judy, Jean  
O'Brien, Michael  
Rosenwald, Cindy  
Soucy, Timothy  
Walsh, Robert

Backus, Robert  
Cohen, Alan  
Gorman, Mary  
Harvey, Suzanne  
Lachance, Joseph  
Pellegrino, Anthony  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Cornell, Patricia  
Griffin, Barbara  
Heath, Mary  
Long, Patrick  
Pierce, David  
Smith, Timothy  
Twombly, Timothy

Belanger, James  
Cote, David  
Guerette, C. Lee  
Herbert, Christopher  
Mangipudi, Latha  
Porter, Marjorie  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
McGuire, Carol  
Seaworth, Brian

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Ratzki, Mario  
Shurtleff, Stephen

Deloge, Helen  
French, Barbara  
Karrick, David  
Saunderson, George  
Turcotte, Alan

**ROCKINGHAM**

Berrien, Skip  
DiFranco, Debbie  
Sytek, John

Cahill, Michael  
Emerick, J. Tracy  
Ward, Gerald

Chase, Francis  
Ferrante, Beverly

Cushing, Robert  
Pantelakos, Laura

**STRAFFORD**

Berube, Roger  
Sprague, Dale  
Wuelper, Kurt

Bixby, Peter  
Stevens, Audrey

DiSesa, Len  
Treleven, Susan

Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

Grenier, James

**NAYS - 202****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
McConkey, Mark  
Wright, Ted

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McCarthy, Frank  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Hunt, John

Ames, Richard  
McConnell, James

Bordenet, John  
Shepardson, Marjorie

Eaton, Daniel

**COOS**

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Piper, Wendy

Bailey, Brad  
Hull, Robert

Darrow, Stephen  
Ingretson, Paul

Hennessey, Erin  
Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Edwards, Elizabeth  
Goley, Jeffrey  
Halstead, Carolyn  
Hopper, Gary  
Manley, Jonathan  
McNamara, Richard  
Notter, Jeanine  
Peterson, Ken  
Rowe, Robert  
Shattuck, Gilman  
Sweeney, Shawn

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Donovan, Daniel  
Estevez, Eric  
Gonzalez, Carlos  
Hansen, Peter  
Jack, Martin  
Marston, Dick  
Moore, Josh  
Ohm, Bill  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene

Baroody, Benjamin  
Brown, Pamela  
Christie, Rick  
Eastman, Eric  
Ferreira, Elizabeth  
Gould, Linda  
Hinch, Richard  
LeBrun, Donald  
McCarthy, Peggy  
Murotake, David  
Palmer, Barry  
Rice, Kimberly  
Schleien, Eric  
Smith, Gregory  
Ulery, Jordan

Barry, Richard  
Burt, John  
Coffey, James  
Edelblut, Frank  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
Leishman, Peter  
McLean, Mark  
Murphy, Keith  
Parison, James  
Rouillard, Claire  
Seidel, Carl  
Sullivan, Victoria  
Wolf, Terry

**MERRIMACK**

Bartlett, Christy  
Hoell, J.R.  
Long, Douglas  
Martin, John

French, Harold  
Horn, Werner  
Luneau, David  
McGuire, Dan

Hess, David  
Kotowski, Frank  
MacKay, James  
Myler, Mel

Hill, Gregory  
Kuch, Bill  
Marple, Richard  
Rice, Chip

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Borden, David	Bush, Carol
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Francese, Paula	Friel, William
Gannon, William	Gordon, Pamela	Green, Dennis	Griffin, Mary
Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Lovejoy, Patricia	Major, Norman	Matthews, Carolyn
McBeath, Rebecca	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroader, Adam	Simpson, Alexis	Spillane, James	Thomas, Douglas
Tilton, Rio	True, Chris	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	

**STRAFFORD**

Baber, William	Beaudoin, Steven	Bickford, David	Burton, Wayne
Cheney, Catherine	Graham, Robert	Gray, James	Groen, Warren
Hannon, Joseph	Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Leeman, Don	Mullen, John	Pitre, Joseph
Schmidt, Peter	Southworth, Thomas	Turcotte, Leonard	

**SULLIVAN**

Converse, Larry	Irwin, Virginia	Laware, Thomas	Rollins, Skip
Schmidt, Andrew	Smith, Steven		

and floor amendment (0956h) failed.

The question now being adoption of the minority committee report of Ought to Pass with Amendment. Rep. Kappler requested a roll call; not sufficiently seconded. Minority committee report adopted and ordered to third reading.

**HB 1247, relative to permitted gambling by private individuals. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for the Majority of Ways and Means. The original bill was too open and it was amended in committee. In 2013, Ways and Means retained and then amended and unanimously passed HB 459, which was in turn passed by the House in early 2014. That bill then stalled in the process. The amendment to HB 1247 is the previously passed HB 459 as amended. Currently NH law creates criminals of homeowners and their guests who happen to gather for an evening of recreational poker. Enforcement is done on a completely subjective basis. The committee report on HB 459 stated, "This [amended] bill legalizes home poker games as long as the "house" takes no rake, no admission can be charged, odds can't favor any [single] player, there is not a house bank and the games cannot be advertised to the public." If HB 1247 as amended passes, privacy and rights of every person in the state are protected. The state can no longer subjectively criminalize what is essentially recreational behavior of New Hampshire residents in their own homes (including many senior members of law enforcement and the judiciary). Vote 13-6. Rep. David Hess for the Minority of Ways and Means. This bill as amended is a solution looking for a problem. Despite allegations of potential selective enforcement of current law, the committee received no such evidence. Moreover, as amended the bill creates a massive loophole for unlimited gambling. There are no limits on the amount that may be bet on one evening, one game, or even one hand. There is no definition of what constitutes "poker games." There is no provision which prevents a "host" or third party from making money from concessions on ancillary services provided at the same location to game players. There is no definition as to what "not advertised to the public" means. In short, the amendment is literally a sieve for unintended consequences, and is most certainly the opening round of a slippery slope leading to expanded, unregulated gambling completely bereft of legislative or administrative regulation and oversight. Finally, the amendment received no public hearing, no public input nor meaningful discussion and analysis by and within the Ways and Means Committee.

**Majority Amendment (0443h)**

Amend the title of the bill to read as follows:

AN ACT relative to poker in private residences.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Poker in Private Residences. Amend RSA 647:2, V by inserting after subparagraph (c) the following new subparagraph:

(d) Poker games held in a private residence so long as there is no rake, the house takes no compensation from the prize pool, no admission fee or seat fee is charged, no one receives any money or anything of value for conducting the game except their own winnings as a player, the game's odds do not favor a "house" or any player, there is no house bank, and the game is not advertised to the public.

2 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill allows the playing of poker games in a private residence.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**HB 1360-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. This bill calls for a tax credit for media productions filmed in New Hampshire. The committee has heard this proposal in the past and there is no change in this bill as introduced. While such tax credits may work in other states, there would be no offset to business tax revenue lost due lack of an income or sales tax in New Hampshire. The committee strongly objected to the provision that allowed these tax credits to be sold to other companies for their use. If a film is made in NH and creates no profits, no Business Profits Tax is generated. However, a profitable company who purchased the tax credits can utilize them and thus the result is a loss in revenue to the state. The result is all loss to the state and no gain, which is not acceptable. The committee recommended that the sponsor seek to present the proposed tax credit model to an existing study commission that has a reporting date of November 1, 2016 (Chapter 122, Laws of 2015). Any further study findings could be duly considered after the completion of that study. Vote 20-1.

**MOTION TO LAY ON THE TABLE**

Rep. Azarian moved that **HB 1360-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire, be laid on the table.

On a division vote, with 227 members having voted in the affirmative, and 79 in the negative, the motion was adopted.

**REGULAR CALENDAR CONT'D**

**HB 1443-FN**, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Patrick Abrami for the Majority of Ways and Means. This bill attempts to roll back a bill passed back in 2011 that resolved the issue of burden of proof related to reasonable compensation for Limited Liability Companies (LLCs). Back in 2011, SB 125 passed the Senate 24-0 and passed the House 340-9 (Ch. 207, Laws of 2011). That bill placed the burden of disapproving the compensation deduction with the Department of Revenue Administration as opposed to the taxpayer proving the compensation deduction. This current bill places the burden of proof back on the taxpayer. SB 125 provided a comprehensive clarification supported by the business community in response to overly aggressive audits. The main argument for this current bill is that business tax revenues have suffered. Given that the business tax revenues are surpassing everyone's estimates this year and have steadily rebounded from 2011 levels, there is no evidence that this argument can be utilized. The business community does not support a reversal back to the pre-2011 approach which everyone recognized as being fraught with problems. The majority of Ways and Means concurred with the view that this approach has been working well and that there is no reason to revert back. Vote 11-8.

Rep. Susan Almy for the Minority of Ways and Means. What do you call it when a taxpayer, knowing he owes a certain amount of tax, manipulates his return to hide the profits he is being taxed on? Tax fraud? What do you call it when a law is passed to let him do that without any fear of being caught by audit? Enabling tax fraud? We have such a law, passed in 2011, which provides this special dispensation to any non-incorporated business that wishes to use it. This law reversed the burden of proof doctrine. Instead of the taxpayer having to prove upon audit that what they reported as compensation was reasonable, now the burden of proof is on the state to prove it is unreasonable. To make matters worse the only way the state auditors have access to the records they would need is to subpoena the records; so effectively the Department of Revenue Administration no longer audits the amount claimed as compensation. A corporate hedge fund manager's salary is declared to the federal government and deducted with other costs from the firm's profits before Business Profits Tax (BPT) is paid. An unincorporated hedge fund firm can declare all of its profits as the earned income of the owner, and there is nothing to tax. Some businesses may think we have changed the law to allow partnerships and proprietorships to no longer pay BPT; but if we had done that, there would be a well-justified lawsuit by corporate filers. This unequal and unprecedented treatment has caused massive losses: \$1.3 billion of new earned income was declared in the first year it could not be audited, or over \$100 million in tax revenue lost. This hurts the honest business owners, leaving them less competitive. It enables businesses to avoid any kind of audit changes; some have told the auditors that if the audit changes another part of their filing, they will simply restate the filing to show the reported expense as earned income, and untaxable. It hurts our state, which has lost significant revenue it could have put into the rainy day fund, opioid treatment, the lawsuits we have had to settle, or other legislative priorities. No other state, and no other New Hampshire tax, has this backward burden of proof doctrine. The law needs to be repealed. This is the only bill to date that our esteemed and apolitical Revenue Commissioner has supported or opposed, because reversing burden of proof undermines the very existence of a tax system. The other two sections clarify, in the businesses' favor, a minor issue in auditing, and provide for putting into administrative rules some of the many procedures the department has adopted in recent years to prevent future over-auditing.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Lovejoy spoke against.

Rep. Abrami spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

## YEAS 180 NAYS 131

### YEAS - 180

#### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Sylvia, Michael

#### CARROLL

Avellani, Lino  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

#### CHESHIRE

Hunt, John

McConnell, James

Tilton, Benjamin

#### COOS

Richardson, Herbert

Rideout, Leon

Tholl, John

#### GRAFTON

Bailey, Brad  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ingbretson, Paul

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

**HILLSBOROUGH**

Ammon, Keith  
 Belanger, James  
 Burt, John  
 Christie, Rick  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Haefner, Robert  
 Hopper, Gary  
 McCarthy, Peggy  
 Murphy, Keith  
 Parison, James  
 Rice, Kimberly  
 Schleien, Eric  
 Sullivan, Victoria  
 Ulery, Jordan

Balcom, John  
 Biggie, Barbara  
 Byron, Frank  
 Coffey, James  
 Edelblut, Frank  
 Gagne, Larry  
 Halstead, Carolyn  
 Infantine, William  
 McLean, Mark  
 Notter, Jeanine  
 Pellegrino, Anthony  
 Rouillard, Claire  
 Seidel, Carl  
 Sweeney, Shawn  
 Wolf, Terry

Barry, Richard  
 Boehm, Ralph  
 Christensen, Chris  
 Danielson, David  
 Edwards, Elizabeth  
 Gonzalez, Carlos  
 Hansen, Peter  
 Lachance, Joseph  
 Moore, Josh  
 Ohm, Bill  
 Peterson, Ken  
 Rowe, Robert  
 Simmons, Tammy  
 Takesian, Charlene

Beaulieu, Jane  
 Bouldin, Amanda  
 Christiansen, Lars  
 Donovan, Daniel  
 Estevez, Eric  
 Gould, Linda  
 Hinch, Richard  
 LeBrun, Donald  
 Murotake, David  
 Palmer, Barry  
 Proulx, Mark  
 Sanborn, Laurie  
 Smith, Gregory  
 Twombly, Timothy

**MERRIMACK**

Hess, David  
 Kotowski, Frank  
 McGuire, Carol

Hill, Gregory  
 Kuch, Bill  
 McGuire, Dan

Hoell, J.R.  
 Marple, Richard  
 Seaworth, Brian

Horn, Werner  
 Martin, John

**ROCKINGHAM**

Abrami, Patrick  
 Bates, David  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Green, Dennis  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 O'Connor, John  
 Potucek, John  
 Spillane, James  
 True, Chris  
 Welch, David

Abramson, Max  
 Bush, Carol  
 Christie, Andrew  
 Devine, James  
 Ferrante, Beverly  
 Griffin, Mary  
 Introne, Robert  
 Kolodziej, Walter  
 McMahon, Charles  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Vose, Michael  
 Weyler, Kenneth

Azarian, Gary  
 Cardon, G. Thomas  
 Cook, Allen  
 Doucette, Fred  
 Friel, William  
 Harris, Jeffrey  
 Itse, Daniel  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Rice, Frederick  
 Thomas, Douglas  
 Ward, Joanne

Baldasaro, Alfred  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Duarte, Joe  
 Gannon, William  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Matthews, Carolyn  
 Nigrello, Robert  
 Peckham, Michele  
 Schroadter, Adam  
 Tilton, Rio  
 Webb, James

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Sprague, Dale

Bickford, David  
 Groen, Warren  
 Leeman, Don  
 Turcotte, Leonard

Cheney, Catherine  
 Hannon, Joseph  
 Mullen, John  
 Wuelper, Kurt

Graham, Robert  
 Jones, Laura  
 Pitre, Joseph

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 131  
CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 Pearson, William  
 Shepardson, Marjorie

Ames, Richard  
 Johnsen, Gladys  
 Roberts, Kris  
 Tatro, Bruce

Berch, Paul  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

Bordenet, John  
 Mann, John  
 Sad, Tara

**COOS**

Fothergill, John  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Sykes, George

Cooney, Mary  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Massimilla, Linda  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Cornell, Patricia  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
Mangipudi, Latha  
O'Brien, Michael  
Rosenwald, Cindy  
Snow, Kendall  
Walsh, Robert

Baroody, Benjamin  
Cote, David  
Gorman, Mary  
Harvey, Suzanne  
Judy, Jean  
Manley, Jonathan  
Pierce, David  
Shattuck, Gilman  
Soucy, Timothy  
Williams, Kermit

Brown, Pamela  
Freitas, Mary  
Griffin, Barbara  
Heath, Mary  
Leishman, Peter  
Marston, Dick  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel

Cohen, Alan  
Gidge, Kenneth  
Guerette, C. Lee  
Herbert, Christopher  
Long, Patrick  
McNamara, Richard  
Roberts, Carol  
Smith, Timothy  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
Gile, Mary  
Kenison, Linda  
Rice, Chip  
Turcotte, Alan

Bartlett, Christy  
Doherty, David  
Henle, Paul  
Luneau, David  
Saunderson, George  
Wheeler, Deborah

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
MacKay, James  
Schuett, Dianne

Carson, Clyde  
French, Barbara  
Karrick, David  
Myler, Mel  
Shurtleff, Stephen

**ROCKINGHAM**

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Gordon, Pamela  
Pantelakos, Laura

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Simpson, Alexis

Borden, David  
DiFranco, Debbie  
Lovejoy, Patricia  
Ward, Gerald

Cahill, Michael  
Francesca, Paula  
McBeath, Rebecca

**STRAFFORD**

Baber, William  
DiSesa, Len  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
Horrigan, Timothy  
Spang, Judith

Bixby, Peter  
Kaen, Naida  
Stevens, Audrey

Burton, Wayne  
Schmidt, Peter  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

and the majority committee report was adopted.

**CACR 16**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for the Majority of Children and Family Law. This constitutional amendment makes parental rights, which our state supreme court has recognized as implicit in Part I, Article 2, explicit in a separate Part I, Article 2-b. Though these rights are implicit in Part I, Article 2, this legislature, the executive and even the judicial branches have all too often failed to recognize them. Therefore, the people ought to have the opportunity to make their parental rights explicit in our constitution, just as they made their right to keep and bear arms explicit in 1984 for the same reasons. This amendment would not prevent the state from intervening in cases of abuse or neglect, just as our right to liberty does not prevent being put in jail for a crime. Vote 8-5.



Rep. Skip Berrien for the Minority of Children and Family Law. The United States and New Hampshire Supreme Courts have consistently recognized the natural rights of parents to raise their children. This constitutional amendment presents unintended consequences regarding the rights of parents and the best interest of children. RSA 461-A establishes the best interest of the child in parents' rights and responsibility divorce court orders when parents cannot agree. This constitutional amendment will cause confusion at the expense of children. This amendment erodes protections (RSA 173-B) for victims and children in domestic violence. Protection of children in child abuse and neglect proceedings (RSA 169-C) would be jeopardized by this amendment. The House has previously defeated this amendment on four occasions.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Patrick Long spoke against and yielded to questions.

Rep. Itse spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

## YEAS 174 NAYS 136

### YEAS - 174

#### BELKNAP

Aldrich, Glen  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Dumais, Russell  
Howard, Jr., Raymond  
Spanos, Peter

Fields, Dennis  
Hurt, George  
Sylvia, Michael

Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

#### CARROLL

Avellani, Lino  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

#### CHESHIRE

Hunt, John

McConnell, James

#### COOS

Richardson, Herbert

Rideout, Leon

Tholl, John

#### GRAFTON

Bailey, Brad  
Ingbretson, Paul

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
Ladd, Rick

Hull, Robert

#### HILLSBOROUGH

Adams, Christopher  
Belanger, James  
Byron, Frank  
Coffey, James  
Edelblut, Frank  
Gidge, Kenneth  
Haefner, Robert  
Hogan, Edith  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Proulx, Mark  
Sanborn, Laurie  
Smith, Gregory  
Ulery, Jordan

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Estevez, Eric  
Gonzalez, Carlos  
Halstead, Carolyn  
Hopper, Gary  
Marston, Dick  
Murotake, David  
Parison, James  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria  
Wolf, Terry

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Donovan, Daniel  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Infantine, William  
McCarthy, Peggy  
Murphy, Keith  
Pellegrino, Anthony  
Rouillard, Claire  
Seidel, Carl  
Sweeney, Shawn

Barry, Richard  
Burt, John  
Christie, Rick  
Eastman, Eric  
Gagne, Larry  
Griffin, Barbara  
Hinch, Richard  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Peterson, Ken  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy

#### MERRIMACK

French, Harold  
Kotowski, Frank  
McGuire, Carol

Hill, Gregory  
Kuch, Bill  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Rice, Chip

Hom, Werner  
Martin, John  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
 Bates, David  
 Christie, Andrew  
 Devine, James  
 Ferrante, Beverly  
 Griffin, Mary  
 Introne, Robert  
 Kolodziej, Walter  
 McMahon, Charles  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Vose, Michael

Abramson, Max  
 Bush, Carol  
 Cook, Allen  
 Doucette, Fred  
 Friel, William  
 Harris, Jeffrey  
 Itse, Daniel  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Rice, Frederick  
 Thomas, Douglas  
 Webb, James

Baldasaro, Alfred  
 Chase, Francis  
 Dean-Bailey, Yvonne  
 Duarte, Joe  
 Gannon, William  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Matthews, Carolyn  
 Nigrello, Robert  
 Peckham, Michele  
 Schroadter, Adam  
 Tilton, Rio  
 Welch, David

Barnes, Arthur  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Green, Dennis  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 O'Connor, John  
 Potucek, John  
 Spillane, James  
 True, Chris  
 Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Jr., Thomas  
 Turcotte, Leonard

Bickford, David  
 Groen, Warren  
 Leeman, Don  
 Wuelper, Kurt

Cheney, Catherine  
 Hannon, Joseph  
 Mullen, John

Graham, Robert  
 Jones, Laura  
 Pitre, Joseph

**SULLIVAN**

Smith, Steven

**NAYS - 136****BELKNAP****CARROLL**

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 Pearson, William  
 Shepardson, Marjorie

Ames, Richard  
 Johnsen, Gladys  
 Roberts, Kris  
 Tilton, Benjamin

Berch, Paul  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

Bordenet, John  
 Mann, John  
 Sad, Tara

**COOS**

Theberge, Robert

**GRAFTON**

Abel, Richard  
 Hennessey, Erin  
 Massimilla, Linda  
 Townsend, Charles

Almy, Susan  
 Hennessey, Martha  
 Piper, Wendy  
 White, Andrew

Cooney, Mary  
 Higgins, Patricia  
 Smith, Suzanne

Ford, Susan  
 Maes, Kevin  
 Sykes, George

**HILLSBOROUGH**

Backus, Robert  
 Cohen, Alan  
 Goley, Jeffrey  
 Harvey, Suzanne  
 Judy, Jean  
 Manley, Jonathan  
 Pierce, David  
 Shattuck, Gilman  
 Soucy, Timothy  
 Walsh, Robert

Baroody, Benjamin  
 Cornell, Patricia  
 Gorman, Mary  
 Heath, Mary  
 Leishman, Peter  
 McNamara, Richard  
 Porter, Marjorie  
 Shaw, Barbara  
 Sullivan, Daniel

Beaulieu, Jane  
 Cote, David  
 Guerette, C. Lee  
 Herbert, Christopher  
 Long, Patrick  
 O'Brien, Michael  
 Roberts, Carol  
 Smith, Timothy  
 Takesian, Charlene

Brown, Pamela  
 Freitas, Mary  
 Hansberry, Daniel  
 Jack, Martin  
 Mangipudi, Latha  
 Palmer, Barry  
 Rosenwald, Cindy  
 Snow, Kendall  
 Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
MacKay, James  
Schuett, Dianne

Bartlett, Christy  
Doherty, David  
Gile, Mary  
Karrick, David  
Myler, Mel  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
Ratzki, Mario  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Hess, David  
Luneau, David  
Saunderson, George

**ROCKINGHAM**

Azarian, Gary  
Cali-Pitts, Jacqueline  
Francese, Paula  
McBeath, Rebecca  
Ward, Joanne

Berrien, Skip  
Cardon, G. Thomas  
Gordon, Pamela  
Pantelakos, Laura

Borden, David  
Cushing, Robert  
Heffron, Frank  
Simpson, Alexis

Cahill, Michael  
DiFranco, Debbie  
Lovejoy, Patricia  
Ward, Gerald

**STRAFFORD**

Baber, William  
DiSesa, Len  
Smith, Marjorie  
Stevens, Audrey

Berube, Roger  
Horrigan, Timothy  
Southworth, Thomas  
Treleven, Susan

Bixby, Peter  
Kaen, Naida  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Schmidt, Peter  
Sprague, Dale

**SULLIVAN**

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

and the majority committee report failed lacking the necessary three-fifths vote.

**MOTION TO LAY ON THE TABLE**

Rep. Patrick Long moved that **CACR 16**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children, be laid on the table. Motion adopted.

**REGULAR CALENDAR CONT'D**

**HB 1117**, establishing a child support maximum under the guidelines based on the parents' combined income. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kimberly Rice for the Majority of Children and Family Law. The majority of the committee agreed that this bill increases the cap in the child support guidelines in cases where the parents' combined income exceeds \$150,000. The bill does not make changes to the child support calculations. There is still judicial discretion if cases arise. This bill makes progress to address some long-standing concerns regarding child support issues facing New Hampshire families. Vote 9-7.

Rep. Skip Berrien for the Minority of Children and Family Law. This bill is intended to make a single correction in child support statutes. The minority supports a comprehensive review of modifications to the child support statutes. In addition, the Department of Health and Human Services (DHHS) is required to undertake a review of child support allocations in 2017. This bill was created in isolation of a comprehensive process and includes formulations which appear overly complicated, potentially confusing and potentially restrictive to some children.

On a division vote, with 177 members having voted in the affirmative, and 128 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 1236**, relative to hearings on modifications of parental rights and responsibilities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Ingbreton for the Majority of Children and Family Law. This bill as amended provides that when the parties agree to a modification of parental rights and responsibilities, the court shall not hold a hearing on the modification unless requested by both parties. Individuals testified before the committee that their mutually agreed-upon parenting plans were arbitrarily changed by the court leading to enormous unnecessary expenses, losses to children's time with one or more of their parents, and increased conflict, none of which benefits families or children. This bill keeps un-coerced parenting agreements in the control of cooperating parents, avoiding unnecessary litigation and concomitant suffering. Vote 10-4.

Rep. Cynthia Chase for the Minority of Children and Family Law. The minority feels that the bill has the potential for serious unintended consequences. It has not been vetted with many of those who have expertise in this area. This bill is not ready for prime time.

### Majority Amendment (0546h)

Amend the bill by replacing section 1 with the following:

1 Modification of Parental Rights and Responsibilities; Agreement of the Parties. Amend RSA 461-A:11, I(a) to read as follows:

(a) The parties agree to a modification. *The court shall not hold a hearing on the modification if so requested by both parties, who also assert they have not been coerced.*  
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 202 members having voted in the affirmative, and 108 in the negative, the majority committee report was adopted and ordered to third reading.

The House recessed at 5:45 p.m.

## RECESS

The House reconvened at 6:40 p.m.

### (Speaker Jasper in the Chair)

#### SPECIAL ORDERED

Without objection, the Speaker made all bills without debate Special Orders as the next order of business.

**HB 1238**, relative to income for purposes of child support. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kimberly Rice for the Majority of Children and Family Law. The majority of the committee concluded that putting a displaced homemaker into the child support statute as defined in the labor statute RSA 275-D: 2, I was too broad and promoted more discretion with the judge, therefore potentially creating more conflict. Vote 10-5.

Rep. Paul Ingbertson for the Minority of Children and Family Law. Our labor laws define "displaced homemaker" for the purpose of granting welfare support. This bill seeks to protect the maternal base for younger children in divorce cases by use of the same definition by reference in the child support statute. This bill was brought by the representative of a woman who was forced into the marketplace against the best interest of her minor children when her husband divorced her.

Majority committee report adopted.

**HB 1248**, relative to the waiver of counsel in juvenile delinquency proceedings. **OUGHT TO PASS.**

Rep. Daniel Itse for Children and Family Law. This bill corrects a deficiency in RSA 169-B:12. Currently, the law requires the judge to write specific findings if they grant a waiver of counsel in delinquency hearings. This adds the requirement that the judge write specific findings if they deny the family's request to waive counsel, so that the family can appeal the denial. Vote 9-5.  
Committee report adopted and ordered to third reading.

**HB 1280**, relative to grounds for modification of parental rights and responsibilities. **OUGHT TO PASS.**

Rep. Alethea Froburg for Children and Family Law. This bill provides for modification of a parenting order based on a change in travel time required for the parent's allocation of time, or a change in the parent's work schedule, or the age of the child. The bill also permits the court to modify a parenting order or schedule based on the relocation of a child's residence. Vote 10-1.  
Committee report adopted and ordered to third reading.

**HB 1188**, relative to the brew pub license. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Tucker for the Majority of Commerce and Consumer Affairs. This bill adds six words to the statutes covering brew pub licensing to permit brew pubs to manufacture cider as well as beer. The processes for fermenting beer and cider are very similar and, rather than create yet another specialty license with the same verbiage, adding cider to the existing license accomplishes the same task. Vote 12-7.

Rep. Rebecca McBeath for the Minority of Commerce and Consumer Affairs. This bill authorizes NH brew pub licensees, presently only authorized to produce beer, to add cider production and sales to their business without paying for a cider manufacturing license. All other categories of liquor licensees remain required to apply and pay for the \$1,200 to \$1,692 cider manufacturer's license. The minority of the committee believes that providing this special exception to statutory requirements to brew pubs is unwarranted. In addition, the minority had concerns regarding this bill's effect of further eroding the "black lines" separating the three tiers (1) manufacturing, (2) distribution and (3) sales of New Hampshire's control of and revenue production from the sale of alcoholic beverages. Majority committee report adopted and ordered to third reading.

**HB 1227**, repealing provisions of law regulating Sunday business activities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Sanborn for Commerce and Consumer Affairs. As amended, this bill repeals outdated laws regulating business activities on Sundays and changes allowable Sunday hours for games of chance and bingo, to bring them in line with other days of the week. Vote 16-4.

**Amendment (0812h)**

Amend the bill by replacing section 1 with the following:

1 Repeal. RSA 332-D, relative to Sunday business activities.

**AMENDED ANALYSIS**

This bill repeals the law prohibiting Sunday business activities and removes differing Sunday hours for bingo and games of chance.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1339**, relative to the corporate governance annual disclosure act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. Corporate governance is a framework of systems, policies and procedures through which an insurer provides for sound and prudent management and oversight of the insurer's business while creating security and long-term value for stakeholders and holding its board members and senior management, accountable. This National Association of Insurance Commissioners (NAIC) model law requires insurers to provide the Insurance Commissioner with an annual summary that will permit the commissioner to gain an understanding of the insurer's corporate governance framework and is required for accreditation. Vote 16-4.

**Amendment (0594h)**

Amend RSA 401-D:3, IV as inserted by section 1 of the bill by replacing it with the following:

IV. For purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level, and/or the individual legal entity level, depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group is encouraged to make CGAD disclosures at the level at which the insurer's or insurance group's risk appetite is determined, or at which the earnings, capital, liquidity, operations, and reputation of the insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised, or the level at which legal liability for failure of general corporate governance duties would be placed. If the insurer or insurance group determines the level of reporting based on these criteria, it shall indicate which of the 3 criteria was used to determine the level of reporting and explain any subsequent changes in the level of reporting.

Amend RSA 401-D:5, I as inserted by section 1 of the bill by replacing it with the following:

I. The insurer or insurance group shall have discretion over the responses to the CGAD inquiries, provided the CGAD shall contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies, and practices. The commissioner may request additional information that he or she deems material and necessary to provide the commissioner with a clear understanding of the corporate governance policies, the reporting or information system, or controls implementing those policies.

Amend RSA 401-D:7, I as inserted by section 1 of the bill by replacing it with the following:

I. The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants, and other experts not otherwise a part of the commissioner's staff as may be reasonably necessary to assist the commissioner in reviewing the CGAD and related information or the insurer's compliance with this chapter.

Amend RSA 401-D:8 as inserted by section 1 of the bill by replacing it with the following:

401-D:8 Sanctions. Any insurer failing, without just cause, to timely file the CGAD as required in this chapter shall be required, after notice and hearing, to pay a penalty of \$100 for each day's delay up to a maximum of \$2,500, to be recovered by the commissioner. The penalty so recovered shall be deposited in the general fund. The commissioner may reduce the penalty if the insurer demonstrates to the commissioner that the imposition of the penalty would constitute a financial hardship to the insurer.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1340**, relative to producer licensing. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for the Majority of Commerce and Consumer Affairs. This is a bill that repeals certain insurance producer fees and explicitly codifies the continuing education requirement for those producers. The fees being removed are those that had been imposed for obtaining qualification and clearance letters and for paper licenses for insurance producers. The licensees may now obtain these documents on-line for free. The second portion of the bill is based on a request from the Joint Legislative Committee on Administrative Rules (JLCAR). The joint committee has asked that the statutory language that implies the long-standing requirement that insurance producers take continuing education to maintain their licenses should be stated more explicitly in the statute. Vote 12-7.

Rep. Bart Fromuth for the Minority of Commerce and Consumer Affairs. This bill was written and introduced at the request of the Insurance Department after an audit revealed they have been enforcing rules they had no authority to promulgate regarding continuing education for licensed insurance agents. To correct this "oversight" they have asked this legislature to grant them the necessary authority to legitimize and continue the practice of the last 10 years. The minority felt that passage of this bill inappropriately condones the past improper actions of the department and fails to deter such actions in the future. Further, the department testified that even though they realize that their current rule may not be legal, they continue to enforce compliance.

Majority committee report adopted and ordered to third reading.

**HB 1342**, prohibiting the use of certain information to underwrite insurance. **INEXPEDIENT TO LEGISLATE.**

Rep. John Bordenet for Commerce and Consumer Affairs. This bill makes it a discriminatory and unfair insurance trade practice to charge higher premiums for automobile and homeowners insurance based on credit rating. Current law allows the use of credit reports for such purposes if it is not the sole reason for higher premiums. This bill also prohibits insurers from requesting certain information to underwrite casualty insurance coverage. Credit scoring to determine premium rates is practiced by most insurance carriers. If we forbid the use of this tool, carriers would have to reformulate their rate structure, the Insurance Department would have to evaluate those structures, and premiums have to be adjusted upwards to cover expected returns. Vote 15-4.

Committee report adopted.

**HB 1478**, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments. **OUGHT TO PASS.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill establishes a commission which will create a framework for alternative medical payments contracts. Alternative contracts that are used by an insurance company to pay for medical services are slowly evolving from the traditional fee-for-service model, but progress in New Hampshire is slow. Alternate payment methods can reduce health care costs while improving outcomes for the patients. The commission will give all stakeholder groups a say in how such contracts should be structured, rather than having a government agency impose one on them. Vote 11-6.

Committee report adopted and ordered to third reading.

**HB 1540-FN**, relative to direct shipments of beer. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Biggie for the Majority of Commerce and Consumer Affairs. This bill addresses the distribution of beer labels requested by consumers and licensees that are not currently available through state-licensed beer distributors by utilizing direct shippers. Shippers can deliver not more than 20 barrels (approximately 610 gallons) before they must offer to sell a matching amount to a New Hampshire wholesale distributor. It is understandable that the small quantities requested may not be economically feasible to distribute, thereby the reason to pass this bill. Building interest generated in new beer labels may perhaps lead to the New Hampshire beer distributors adding them in their deliveries. This would increase beer sales and tax revenues. Vote 13-5.

Rep. Richard Abel for the Minority of Commerce and Consumer Affairs. The minority believes this bill, no matter how well intentioned, proposes an impractical approach that will not work and that creates the unintended consequence of threatening the 'three tier system' by which the New Hampshire Liquor Commission has successfully regulated alcoholic beverages in the state. Testimony heard by the committee indicated that direct shipment of beer products to licensed businesses would be so expensive that few, if any, businesses in New Hampshire would choose this option. A much better solution is available through the existing beer distributors who already distribute beer throughout the state under existing state regulation. Stakeholders including distributors and the hospitality industry are working on a system to make specialty and other beers available that are currently unavailable in New Hampshire. They should be given time to implement their solution that accords with federal and New Hampshire laws.

Majority committee report adopted and ordered to third reading.

**HB 1297**, relative to harm to unalienable rights of inhabitants. **INEXPEDIENT TO LEGISLATE.**

Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill would have allowed an individual to file an affidavit of complaint of trespass against any public servant who the individual feels has wronged them, which must be prosecuted by the county attorney and which carries the effect of a prima facie case. This would create a heavy burden on the county, no matter if the public servant was a state, county or municipal employee. The committee felt that the bill was unnecessary. Vote 10-3.

Committee report adopted.

**HB 1321**, relative to transportation of alcoholic beverages by a minor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. The Attorney General's Office and the NH Liquor Commission strongly opposed this bill. The current language in the statute allows for the transportation of alcohol in a vehicle or boat by a minor when she or he is accompanied by a parent, legal guardian, or legal age spouse. This bill would eliminate the word "spouse" and substitute instead "family member." It would apply to the operation of both a motor vehicle and a boat. The committee heard testimony from the Attorney General's Office that concluded this change would be create a rabbit hole and make it that much more difficult for police officers to do their jobs. Under the *Weldy v. Kingston* decision, police were held liable for the death of a female juvenile who was killed as a result of an alcohol-related motor vehicle accident. In that decision, police initially stopped a motor vehicle with several juveniles in it who were transporting alcohol. The police confiscated the alcohol and let the juveniles go. The juveniles acquired more alcohol, drank some of it, and were involved in a fatal motor vehicle accident later that evening. Under the "Kingston Decision," police have no leeway when it comes to seizing alcohol and placing the underage driver (and other juveniles in the vehicle) under protective custody. By adding the term "family member" to the existing statute, it creates a whole range of issues that would be difficult to enforce. For example, does family member include cousins? Is it a blood relation or a legal relation? Stepbrothers or stepsisters? The committee discussed a range of problem areas that this bill would create, and the majority of the committee - considering the nexus of alcohol to motor vehicle-related accidents and deaths - felt that the current statutory language more than sufficed to allow a minor to transport alcohol. Vote 12-5.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The minority wished to remove the potential for arrest and the resultant legal fees for innocent situations such as when a grandchild

drives a grandparent home from grocery shopping that included a bottle of wine or beer. The minority understood that the legislation and the amendment fixed a situation that may occur rather frequently. The amendment delineated the specific family members who may drive with the underage driver legally. On a division vote, with 190 members having voted in the affirmative, and 93 in the negative, the majority committee report was adopted.

**HB 1330**, appointing a former prisoner to the interbranch criminal and juvenile justice council. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill would have added one former prisoner to the Interbranch Criminal and Juvenile Justice Council. The committee felt that there was no place for a former prisoner on the council. The council discusses many different issues and the meetings are open to the public so anyone can come to the meeting and speak to the council about any issues concerning the prison or the juvenile system. Vote 12-3. Committee report adopted.

**HB 1335-FN**, relative to state testing of law enforcement officers for steroid use. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. The committee felt that random testing of law enforcement officers for steroids by Police Standards and Training was unworkable. There is no money in the bill for this testing. The committee felt that this issue is better addressed at the local level. Vote 12-3. Committee report adopted.

**HB 1435**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Geoffrey Hirsch for the Majority of Criminal Justice and Public Safety. This bill cuts the legs out from under existing law by limiting the prohibition on the use of mobile electronic devices while driving to a secondary action when another offense is cited or charged. The three big contributors to fatal car crashes are DUI, speed, and distracted driving due to hand held devices. The committee heard opposition from the AAA of Northern New England, the NH Auto Dealers Association, the NH Department of Safety, and the NH Attorney General's office. The Live Free or Die Alliance offered survey data that showed over 60% of NH citizens polled support leaving current law alone. This proposed legislation moves NH backward in trying to keep our roads and highways safe. Vote 13-5. Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. The bill makes changes to the current statute regarding the use of mobile devices while driving. The existing law allows police to pull over a driver if they observe them using a mobile device as a primary reason for the stop. This bill modifies the statute to be a secondary action when another offense is cited or charged. For example, speeding, erratic operation, or defective safety equipment. The Fourth Amendment requires some minimal level of objective justification for making the stop. It is the minority opinion that making a stop primarily due to the observed use of a mobile device does not meet the level of suspicion that the operator is not in control of the vehicle and therefore it is not justified as a primary reason for the stop.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 188 NAYS 115**

**YEAS - 188**

**BELKNAP**

Fields, Dennis	Flanders, Donald	Gallagher, Brian	Tilton, Franklin
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**CARROLL**

Butler, Edward	McCarthy, Frank	Schmidt, Stephen	Umberger, Karen
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Johnsen, Gladys	Ley, Douglas	Mann, John
Pearson, William	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy



**COOS**

Fothergill, John  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Ladd, Rick  
Sykes, George

Almy, Susan  
Hennessey, Erin  
Maes, Kevin  
Townsend, Charles

Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda  
White, Andrew

Darrow, Stephen  
Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
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Cornell, Patricia  
Freitas, Mary  
Gorman, Mary  
Harvey, Suzanne  
Judy, Jean  
Mangipudi, Latha  
Palmer, Barry  
Porter, Marjorie  
Rouillard, Claire  
Shaw, Barbara  
Sullivan, Daniel  
Wolf, Terry

Balcom, John  
Brown, Pamela  
Cote, David  
Gagne, Larry  
Gould, Linda  
Heath, Mary  
LeBrun, Donald  
Manley, Jonathan  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene

Baroody, Benjamin  
Christensen, Chris  
Danielson, David  
Gidge, Kenneth  
Guerette, C. Lee  
Hinch, Richard  
Leishman, Peter  
McNamara, Richard  
Peterson, Ken  
Roberts, Carol  
Seidel, Carl  
Snow, Kendall  
Vann, Ivy

Barry, Richard  
Cohen, Alan  
Donovan, Daniel  
Goley, Jeffrey  
Haefner, Robert  
Jack, Martin  
Long, Patrick  
O'Brien, Michael  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Horn, Werner  
Luneau, David  
Rice, Chip  
Turcotte, Alan

Bartlett, Christy  
Ebel, Karen  
Henle, Paul  
Karrick, David  
MacKay, James  
Saunders, George  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Hess, David  
Kenison, Linda  
Myler, Mel  
Schuett, Dianne

Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Abrami, Patrick  
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Chase, Francis  
DiFranco, Debbie  
Gordon, Pamela  
Hoelzel, Kathleen  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Simpson, Alexis  
Weyler, Kenneth

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Green, Dennis  
Katsakiores, Phyllis  
McBeath, Rebecca  
O'Connor, John  
Potucek, John  
Sweeney, Joe

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Francesse, Paula  
Griffin, Mary  
Kolodziej, Walter  
McKinney, Betsy  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Ward, Gerald

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Friel, William  
Heffron, Frank  
Lovejoy, Patricia  
Milz, David  
Pantelakos, Laura  
Rice, Frederick  
Welch, David

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Baber, William  
Gray, James  
Southworth, Thomas  
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Bixby, Peter  
Horrigan, Timothy  
Spang, Judith

Burton, Wayne  
Schmidt, Peter  
Stevens, Audrey

DiSesa, Len  
Smith, Marjorie  
Treleaven, Susan

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

Grenier, James  
Schmidt, Andrew

**NAYS - 115****BELKNAP**

Aldrich, Glen  
Hurt, George  
Sylvia, Michael

Dumais, Russell  
LeBreche, Shari  
Vadney, Herbert

Fraser, Valerie  
Russell, David

Howard, Jr., Raymond  
Spanos, Peter

**CARROLL**

Avellani, Lino  
McConkey, Mark  
Wright, Ted

Buco, Thomas  
Nelson, Bill

Comeau, Ed  
Parker, Harold

Cordelli, Glenn  
Ticehurst, Susan

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Johnson, Eric

Gionet, Edmond

Hull, Robert

Ingbreton, Paul

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Christie, Rick  
Edwards, Elizabeth  
Hansen, Peter  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Schleien, Eric  
Twombly, Timothy

Ammon, Keith  
Burt, John  
Coffey, James  
Estevez, Eric  
Hogan, Edith  
Marston, Dick  
Murotake, David  
Parison, James  
Smith, Gregory  
Ulerly, Jordan

Belanger, James  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Hopper, Gary  
McCarthy, Peggy  
Murphy, Keith  
Rice, Kimberly  
Sullivan, Victoria

Biggie, Barbara  
Christiansen, Lars  
Edelblut, Frank  
Griffin, Barbara  
Infantine, William  
McLean, Mark  
Notter, Jeanine  
Sanborn, Laurie  
Sweeney, Shawn

**MERRIMACK**

French, Harold  
Long, Douglas  
McGuire, Dan

Hill, Gregory  
Marple, Richard  
Seaworth, Brian

Hoell, J.R.  
Martin, John

Kuch, Bill  
McGuire, Carol

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
Ferrante, Beverly  
Itse, Daniel  
Spillane, James  
True, Chris

Baldasaro, Alfred  
Cook, Allen  
Gannon, William  
Kappler, Lawrence  
Sytek, John  
Vose, Michael

Bates, David  
Duarte, Joe  
Harris, Jeffrey  
Osborne, Jason  
Thomas, Douglas  
Ward, Joanne

Bush, Carol  
Emerick, J. Tracy  
Hodgdon, Bruce  
Schroader, Adam  
Tilton, Rio  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Leeman, Don  
Turcotte, Leonard

Bickford, David  
Hannon, Joseph  
Mullen, John  
Wuelper, Kurt

Cheney, Catherine  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Jr., Thomas  
Sprague, Dale

**SULLIVAN**

Converse, Larry

Laware, Thomas

and the majority committee report was adopted.

**HB 1448**, relative to contact between a plaintiff and defendant subject to a protective order. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. The language of this bill would effectively level the playing field between a defendant (the abuser in a domestic abuse restraining order) and the plaintiff (the victim in the relationship). It would place similar contact restrictions on both parties in a domestic situation where the defendant is a threat to the health and safety of the plaintiff. If one looks at the current statute as a whole, the first line states "... a finding of abuse shall mean the defendant represents a credible threat to the safety of the plaintiff." The restraining order is put into effect by the courts to restrain the defendant/abuser, not the plaintiff/victim. This amended version of the statute would make the restraining orders mutual relief orders, and RSA 173:B-5, V, (a) specifically prohibits those types of orders. The purpose of enacting domestic violence laws and, in particular, restraining orders is to make the victims feel more safe, to hold abusers accountable and to give families the support they need to be safe. The majority of the committee felt that there was no need to amend a statute that is already working well. By passing this bill it would effectively remove the interstate enforcement of restraining orders, as it would no longer be able to be entered into the interstate compact due to federal regulations, leaving the victim without the protection of the domestic violence restraining order out of state. Vote 13-5.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The adoption of this bill would provide further protection to the victims by preventing contact from either party to the other through any means of communication, unless communicating through a third party. How many citizens realize that when you ask for a protective order that it only protects just one side? This bill is not only about domestic violence, but any victim that asks the court for a protective order. Protective orders are to protect the victim, if a victim is afraid, fearful for their life, why should they be calling, emailing, texting, provoking, etc. to their alleged abuser? The majority stated that protective orders are hard to get; this is not true, what judge would risk this liability? Protective orders are not upheld across state lines; again, not true - in his or her new state of residency, the police must uphold the protection order from another state. Why it is ok for a victim to get a protective order and still have the right to contact that plaintiff with no ramifications, yet the accused abuser can be arrested for responding or answering? Why are we enabling victims instead of teaching them to protect themselves? This bill is just common sense. Regardless of gender, the victim should be protected from their abuser by forbidding contact from either side.

Majority committee report adopted.

**HB 1451-FN**, allowing persons convicted of certain nonviolent first offenses to petition for an annulment of the criminal record. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill as amended allows any person who was convicted of a criminal offense whose conviction was subsequently vacated by a court may petition for annulment of the arrest record or court record or both. Vote 18-0.

#### **Amendment (0138)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the annulment of certain criminal offenses.

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

#### **AMENDED ANALYSIS**

The bill allows a person to petition for an annulment if the person's criminal conviction was subsequently vacated.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1474**, requiring the collection of data relative to firearm related deaths and injuries. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Martin for the Majority of Criminal Justice and Public Safety. This bill would have required yet another report on firearms-related crimes in New Hampshire. This was seen as unnecessary, as any crime, theft, or incident regarding firearms is already reported, investigated, tabulated and reported by the Department of Safety. It is available by a few keystrokes to access it. It was even demonstrated in one case before the committee where a vague estimate was offered regarding a firearms specific statistic, citing the unknown nature of the exact figure, when it was inadvertently included in the

documentary evidence presented. Further, all this information is also contained in the FBI Uniform Crime Report, an annual compendium of crime in the United States. This bill had the possibility of being a "red herring" in regards to furthering an anti-Second Amendment agenda. Vote 11-4.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. When a car kills a person in the United States, the details all go into a massive database. It is called the Fatality Analysis Reporting System, and it records the number of deaths, the type of car, weather conditions, speed, seatbelt use, age, sex, seating position, and drug use of every single occupant - over 100 variables in total. Those numbers are the backbone of car safety standards. Since the National Highway Traffic Safety Administration started capturing that data in 1975, car deaths have fallen by 27 percent. This bill simply requires the Department of Safety to release in one report the number and types of convictions for firearm-related crimes committed in New Hampshire on a yearly basis to the Speaker of the House, President of the Senate, and the Chairs of the House Criminal Justice and Senate Judiciary Committees. Additionally the department would report on the number of deaths and injuries occurring from firearms in New Hampshire. All of this data does already exist but is spread out in various locations, making it cumbersome to assemble. Reporting can be done with little to no additional expense by the Criminal Records Division of the State Police. While not every town and city reports all information to the State Police, the majority do, and this data would be of great assistance to legislators in making informed decisions regarding firearms and public safety. It is unfortunate that attempts to accumulate this kind of data are met with such resistance. It is time to close the data gaps and understand more about how firearms impact public health and safety.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Ammon requested a roll call; sufficiently seconded.

## YEAS 225 NAYS 80

### YEAS - 225

#### BELKNAP

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Russell, David

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Tilton, Franklin

#### CARROLL

Avellani, Lino  
McCarthy, Frank  
Schmidt, Stephen

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

#### CHESHIRE

Bordenet, John  
Roberts, Kris

Chase, Cynthia  
Tilton, Benjamin

Hunt, John

McConnell, James

#### COOS

Fothergill, John  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Richardson, Herbert

#### GRAFTON

Bailey, Brad  
Hull, Robert  
Smith, Suzanne

Darrow, Stephen  
Ingbreton, Paul  
White, Andrew

Gionet, Edmond  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

#### HILLSBOROUGH

Adams, Christopher  
Beaulieu, Jane  
Brown, Pamela  
Christiansen, Lars  
Cornell, Patricia

Balcom, John  
Belanger, James  
Burt, John  
Christie, Rick  
Cote, David

Baroody, Benjamin  
Biggie, Barbara  
Byron, Frank  
Coffey, James  
Danielson, David

Barry, Richard  
Boehm, Ralph  
Christensen, Chris  
Cohen, Alan  
Donovan, Daniel

Eastman, Eric  
Ferreira, Elizabeth  
Gorman, Mary  
Hinch, Richard  
Jack, Martin  
Long, Patrick  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Victoria  
Ulery, Jordan

Edelblut, Frank  
Gagne, Larry  
Gould, Linda  
Hogan, Edith  
Judy, Jean  
Manley, Jonathan  
Moore, Josh  
O'Brien, Michael  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Smith, Gregory  
Sweeney, Shawn  
Walsh, Robert

Edwards, Elizabeth  
Gidge, Kenneth  
Haefner, Robert  
Hopper, Gary  
Lachance, Joseph  
Marston, Dick  
Murotake, David  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Smith, Timothy  
Takesian, Charlene  
Wolf, Terry

Estevez, Eric  
Goley, Jeffrey  
Harvey, Suzanne  
Infantine, William  
LeBrun, Donald  
McCarthy, Peggy  
Murphy, Keith  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Shaw, Barbara  
Snow, Kendall  
Twombly, Timothy

### MERRIMACK

Carson, Clyde  
French, Harold  
Horn, Werner  
Mackay, James  
Myler, Mel  
Shurtleff, Stephen

Ebel, Karen  
Hess, David  
Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Wheeler, Deborah

Frazer, June  
Hill, Gregory  
Kuch, Bill  
Martin, John  
Rice, Chip

French, Barbara  
Hoell, J.R.  
Long, Douglas  
McGuire, Dan  
Seaworth, Brian

### ROCKINGHAM

Abrami, Patrick  
Barnes, Arthur  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
McKinney, Betsy  
Osborne, Jason  
Potucek, John  
Spillane, James  
Tilton, Rio  
Webb, James

Abramson, Max  
Bates, David  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Itse, Daniel  
Lovejoy, Patricia  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
True, Chris  
Welch, David

Azarian, Gary  
Bush, Carol  
Cook, Allen  
Doucette, Fred  
Friel, William  
Harris, Jeffrey  
Kappler, Lawrence  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Rice, Frederick  
Sytek, John  
Vose, Michael  
Weyler, Kenneth

Baldasaro, Alfred  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McBeath, Rebecca  
O'Connor, John  
Peckham, Michele  
Simpson, Alexis  
Thomas, Douglas  
Ward, Joanne

### STRAFFORD

Beaudoin, Steven  
DiSesa, Len  
Hannon, Joseph  
Mullen, John  
Turcotte, Leonard

Bickford, David  
Graham, Robert  
Jones, Laura  
Pitre, Joseph  
Wall, Janet

Burton, Wayne  
Gray, James  
Kaczynski, Jr., Thomas  
Sprague, Dale

Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Treleven, Susan

### SULLIVAN

Cloutier, John  
Laware, Thomas

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

### NAYS - 80

### BELKNAP

### CARROLL

Sylvia, Michael

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Ley, Douglas  
Sad, Tara

Ames, Richard  
Mann, John  
Shepardson, Marjorie

Berch, Paul  
Pearson, William  
Tatro, Bruce

Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

**COOS**

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Sykes, George

Almy, Susan  
Higgins, Patricia  
Townsend, Charles

Cooney, Mary  
Maes, Kevin

Ford, Susan  
Massimilla, Linda

**HILLSBOROUGH**

Ammon, Keith  
Guerette, C. Lee  
Mangipudi, Latha  
Rosenwald, Cindy  
Vann, Ivy

Backus, Robert  
Hansen, Peter  
McNamara, Richard  
Shattuck, Gilman

Freitas, Mary  
Heath, Mary  
Porter, Marjorie  
Soucy, Timothy

Griffin, Barbara  
Leishman, Peter  
Roberts, Carol  
Sullivan, Daniel

**MERRIMACK**

Alicea, Caroletta  
Gile, Mary  
Kenison, Linda  
Schuett, Dianne

Bartlett, Christy  
Henle, Paul  
Luneau, David  
Turcotte, Alan

Deloge, Helen  
Hirsch, Geoffrey  
McGuire, Carol

Doherty, David  
Karrick, David  
Saunderson, George

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Heffron, Frank

Borden, David  
DiFranco, Debbie  
Schroadter, Adam

Cahill, Michael  
Francesse, Paula  
Ward, Gerald

Cali-Pitts, Jacqueline  
Gordon, Pamela

**STRAFFORD**

Baber, William  
Smith, Marjorie  
Wuelper, Kurt

Bixby, Peter  
Southworth, Thomas

Horrigan, Timothy  
Spang, Judith

Schmidt, Peter  
Stevens, Audrey

**SULLIVAN**

Converse, Larry  
Irwin, Virginia  
and the majority committee report was adopted.

Oxenham, Lee

**HB 1543-FN, relative to prosecutorial misconduct. INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill would have subjected an attorney acting as a prosecutor for the state, county, or a municipality to a class B felony if he or she knowingly prosecuted a person knowing that the person was not guilty of the crime. The ability to determine whether or not someone knew with certainty that a person was not guilty is subjective and would open a prosecutor to excessive complaints from defendants. The Attorney General's Office testified against the bill and pointed out that there are already remedies within the law to address the problem. For these reasons, the committee felt that the bill was not necessary. Vote 11-1.

On a division vote, with 256 members having voted in the affirmative, and 49 in the negative, the committee report was adopted.

**HB 1547-FN, prohibiting bestiality. OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. Our statute on the crime of bestiality was repealed in 1975. Under this bill, the crime of having sex with an animal will once again be a criminal act. The amendment satisfies concerns expressed by NH's farmers and the veterinarian community. Vote 15-0.

**Amendment (0775h)**

Amend the title of the bill by replacing it with the following:

AN ACT prohibiting bestiality.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Bestiality. Amend RSA 632-A by inserting after section 24 the following new subdivision:

**Bestiality**

**632-A:25 Bestiality.**

I. A person commits, bestiality by knowingly committing any of the following acts:

(a) Engaging in copulation with an animal.

(b) Offering or accepting the offer of an animal for consideration with the intent that it be subject to sexual contact or sexual penetration by a human.

(c) Photographing or filming or distributing such photographs or films, for the purpose of sexual arousal or gratification, of a person engaged in sexual contact or sexual penetration with an animal.

II. Any person convicted of a violation of this section shall be guilty of a class A misdemeanor for a first offense and a class B felony for a second or subsequent offense.

III. In addition to any other penalty imposed for a violation of this section, the court shall order that the convicted person:

(a) Submit to a psychological assessment and participate in appropriate counseling at the convicted person's own expense.

(b) Reimburse an animal shelter for any reasonable costs incurred for the care and maintenance of any animal that was taken to the animal shelter as a result of conduct proscribed by this section.

(c) Shall not own, harbor, exercise control over, or reside in the same household with any animal for a period of time deemed reasonable by the court.

IV. This section shall not apply to:

(a) Accepted veterinary medical practices.

(b) Insemination of animals for the purpose of procreation.

(c) Accepted animal husbandry practices that provide necessary care for animals.

V. For purposes of this section, "animal" means a nonhuman mammal, bird, reptile, or amphibian, either dead or alive.

**AMENDED ANALYSIS**

This bill establishes the crime of bestiality.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1549-FN**, requiring the department of safety to establish a database cataloging certain law enforcement activities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. David Welch for the Majority of Criminal Justice and Public Safety. This bill as introduced requires the Department of Safety to create and maintain a database cataloging law enforcement activities. This would mandate compliance by local and county law enforcement. Since we cannot mandate or pass on to local communities according to the NH Constitution Part I, Article 28-a, the committee voted to find the bill Inexpedient to Legislate. Vote 10-4.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. Law enforcement utilizes the Intelligence Analysis Center to report crime statistics. They report their statistics to this entity. According to its mission statement, "The Center provides an integrated, all-crimes/all-hazards, information sharing network to collect, analyze and disseminate information derived from multiple sources to stakeholders in a timely manner, in an effort to protect the citizens and the critical infrastructure of New Hampshire, while ensuring the protection of civil rights and civil liberties." At present, the actions taken by law enforcement are compiled at the local level and not forwarded to the IAC. The mission statement reads, "While ensuring the protection of civil rights and civil liberties." This bill would establish that this "Law Enforcement Action Data," that is already compiled at the different levels of enforcement be forwarded to the IAC. The public could then acquire information that may be properly redacted when a public right to know request is submitted. At present, a citizen must access hundreds of different departments to compile Law Enforcement action data. It is the minority opinion that improperly redacted data could be inadvertently released and it would be more secure to have this data and the requests for it in one place. Rep. Ammon requested a roll call; sufficiently seconded.

**Amendment (0212h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Correction of Checklist; Notice. Amend RSA 654:27 to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on the Saturday 10 days prior to the election and upon which all hearings shall be finally closed; provided that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted *in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or [and] shall be [published] printed* in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall [~~advertise~~] *post* notice of their sessions *in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or printed* at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his *or her* party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall [~~advertise and~~] *post* notice of their sessions *in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or published* at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his *or her* party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

4 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill modifies requirements for notice of sessions for the correction or verification of the checklist. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Bates offered floor amendment (0403h).

**Floor Amendment (0403h)**

Amend the bill by replacing sections 2 and 3 with the following:

2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall [~~advertise~~] *post* notice of their sessions *in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and printed* at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his *or her* party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall [~~advertise and~~] *post* notice of their sessions *in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and published* at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his *or her* party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.



Rep. Bates spoke in favor.  
Rep. Gray spoke against.  
On a division vote, with 271 members having voted in the affirmative, and 71 in the negative, floor amendment (0403h) was adopted.  
Committee report adopted and ordered to third reading.

**HB 1661-FN**, relative to conversion therapy seeking to change a person’s sexual orientation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill as amended prohibits licensed counselors to engage in conversion therapy with a person under 18 years of age. It also allows unlicensed counselors to be sued over conversion therapy. The committee heard overwhelming testimony as to the harms of conversion therapy and no evidence that it is even effective. Vote 17-0.

**Amendment (0067h)**

Amend the introductory paragraph of RSA 332-L:3, I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Advertise for the provision of conversion therapy for monetary compensation in exchange for such services where such advertising claims:

Amend the bill by deleting RSA 332-L:4 as inserted by section 2 of the bill.

**MOTION TO LIMIT DEBATE**

Reps. Hinch and Shurtleff moved to limit debate on **HB 1661-FN**, relative to conversion therapy seeking to change a person’s sexual orientation, to 15 minutes on each side, including questions.

**MOTION TO LAY ON THE TABLE**

Rep. Ohm moved that **HB 1661-FN**, relative to conversion therapy seeking to change a person’s sexual orientation, be laid on the table.

Rep. Schleien requested a roll call; sufficiently seconded.

**YEAS 167    NAYS 175**

**YEAS - 167**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Flanders, Donald
Gallagher, Brian	Howard, Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Fraser, Valerie

**CARROLL**

Avellani, Lino	Buco, Thomas	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark		

**CHESHIRE**

Tilton, Benjamin	Bordenet, John	Hunt, John	McConnell, James
Parkhurst, Henry	Sterling, Franklin		

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
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**GRAFTON**

Bailey, Brad	Bennett, Travis	Brown, Duane	Darrow, Stephen
Johnson, Eric	Hull, Robert		

**HILLSBOROUGH**

Adams, Christopher	Griffin, Barbara	Balcom, John	Baroody, Benjamin
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Forest, Armand	Gagne, Larry

Gargasz, Carolyn  
 Haefner, Robert  
 Infantine, William  
 Christiansen, Lars  
 McClarren, Donald  
 Murphy, Keith  
 Pellegrino, Anthony  
 Ober, Russell  
 Simmons, Tammy  
 Ulery, Jordan

Gonzalez, Carlos  
 Hansen, Peter  
 Jeudy, Jean  
 Ober, Lynne  
 McLean, Mark  
 Notter, Jeanine  
 Peterson, Ken  
 Sanborn, Laurie  
 Souza, Kathleen  
 Sullivan, Victoria

Gould, Linda  
 Hogan, Edith  
 Katsiantonis, Thomas  
 LeBrun, Donald  
 Moore, Josh  
 Ohm, Bill  
 Proulx, Mark  
 Scontsas, Lisa  
 Straight, Phillip

Guerrette, C. Lee  
 Hopper, Gary  
 Kurk, Neal  
 Marston, Dick  
 Murotake, David  
 Parison, James  
 Christie, Rick  
 Seidel, Carl  
 Twombly, Timothy

### MERRIMACK

Brewster, Michael  
 Gile, Mary  
 Horn, Werner  
 Patten, Dick

McGuire, Carol  
 French, Harold  
 Kuch, Bill  
 Ratzki, Mario

Long, Douglas  
 Hill, Gregory  
 Marple, Richard  
 Wheeler, Deborah

McGuire, Dan  
 Hoell, J.R.  
 Martin, John

### ROCKINGHAM

Abrami, Patrick  
 Baldasaro, Alfred  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Friel, William  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Manning, John  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Webb, James

Abramson, Max  
 Barnes, Arthur  
 Cook, Allen  
 Devine, James  
 Chase, Francis  
 Gannon, William  
 Introne, Robert  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 Gordon, Richard  
 True, Chris  
 Welch, David

Allen, Mary  
 Bates, David  
 Thomas, Douglas  
 Duarte, Joe  
 Rice, Frederick  
 Green, Dennis  
 Itse, Daniel  
 Kolodziej, Walter  
 Nigrello, Robert  
 Schroadter, Adam  
 Tucker, Pamela  
 Weyler, Kenneth

Azarian, Gary  
 Bush, Carol  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Fesh, Robert  
 Hagan, Joseph  
 Ward, Joanne  
 Griffin, Mary  
 Potucek, John  
 Spillane, James  
 Vose, Michael  
 Woitkun, Steven

### STRAFFORD

Bickford, David  
 Graham, Robert  
 Leeman, Don

Cheney, Catherine  
 Groen, Warren  
 Mullen, John

DeLemus, Susan  
 Kaczynski, Thomas  
 Pitre, Joseph

Gardner, Janice  
 Turcotte, Leonard  
 Wuelper, Kurt

### SULLIVAN

Schmidt, Andrew

Gagnon, Raymond

Laware, Thomas

Rollins, Skip

### NAYS - 175

#### BELKNAP

Fields, Dennis

Fisher, Robert

Vadney, Herbert

Varney, Peter

### CARROLL

Butler, Edward  
 Ticehurst, Susan

Chandler, Gene  
 Umberger, Karen

Comeau, Ed

Schmidt, Stephen

### CHESHIRE

Abbott, Michael  
 Eaton, Daniel  
 Ley, Douglas  
 Robertson, Timothy

Ames, Richard  
 Emerson, Susan  
 Mann, John  
 Sad, Tara

Berch, Paul  
 Johnsen, Gladys  
 Pearson, William  
 Shepardson, Marjorie

Chase, Cynthia  
 Roberts, Kris  
 Phillips, Larry  
 Weber, Lucy

### COOS

Fothergill, John  
 Theberge, Robert

Froburg, Alethea  
 Tholl, John

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Gionet, Edmond  
Nordgren, Sharon

Cooney, Mary  
Higgins, Patricia  
Smith, Suzanne

Hennessey, Erin  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Ammon, Keith  
Bouldin, Amanda  
Cohen, Alan  
DiSilvestro, Linda  
Gorman, Mary  
Hinch, Richard  
Lachance, Joseph  
Manley, Jonathan  
Long, Patrick  
Walsh, Robert  
Shattuck, Gilman  
Williams, Kermit

Backus, Robert  
Christensen, Chris  
Cornell, Patricia  
Edwards, Elizabeth  
Hansberry, Daniel  
Belanger, James  
Leishman, Peter  
McNamara, Richard  
McCarthy, Peggy  
Rosenwald, Cindy  
Snow, Kendall  
Wolf, Terry

Barry, Richard  
Roberts, Carol  
Cote, David  
Freitas, Mary  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
O'Neil, William  
Pierce, David  
Rouillard, Claire  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Coffey, James  
Sullivan, Daniel  
Goley, Jeffrey  
Heath, Mary  
Rice, Kimberly  
Mangipudi, Latha  
Brown, Pamela  
Porter, Marjorie  
Schleien, Eric  
Vann, Ivy  
Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Doherty, David  
Karrick, David  
MacKay, James  
Saunderson, George  
Walsh, Thomas

Alicea, Caroletta  
Rice, Chip  
Ebel, Karen  
Kenison, Linda  
Moffett, Howard  
Schuett, Dianne  
Wallner, Mary Jane

French, Barbara  
Carson, Clyde  
Henle, Paul  
Kotowski, Frank  
Myler, Mel  
Seaworth, Brian

Bartlett, Christy  
Deloge, Helen  
Hess, David  
Luneau, David  
Rogers, Katherine  
Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
Cardon, G. Thomas  
Ferrante, Beverly  
Harris, Jeffrey  
Lovejoy, Patricia  
McMahon, Charles  
Packard, Sherman  
Sherman, Thomas

Berrien, Skip  
Cushing, Robert  
Francese, Paula  
Heffron, Frank  
Major, Norman  
O'Connor, John  
Pantelakos, Laura  
Simpson, Alexis

Cahill, Michael  
DiFranco, Debbie  
Ward, Gerald  
Hoelzel, Kathleen  
Matthews, Carolyn  
Osborne, Jason  
Peckham, Michele

Cali-Pitts, Jacqueline  
Edgar, Michael  
Guthrie, Joseph  
Sweeney, Joe  
McBeath, Rebecca  
Gordon, Pamela  
Tilton, Rio

**STRAFFORD**

Baber, William  
Gray, James  
Ward, Kenneth  
Rollo, Deanna  
Treleven, Susan

Bixby, Peter  
Hannon, Joseph  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

Burton, Wayne  
Horrigan, Timothy  
Smith, Marjorie  
Spang, Judith

Cilley, Jacalyn  
Jones, Laura  
Schmidt, Peter  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
and the motion failed.

Converse, Larry  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Smith, Steven

The question now being adoption of the motion to limit debate.

Rep. Hoell moved to amend the motion to allow 45 minutes for each side, including questions. On a division vote, with 61 members having voted in the affirmative, and 280 in the negative, the motion failed.

The question now being adoption of the motion to limit debate to 15 minutes on each side, including questions.

Rep. Chris Christensen moved to amend the motion to running time.

Rep. Brewster requested a roll call; sufficiently seconded.

**YEAS 213    NAYS 129****YEAS - 213****BELKNAP**

Dumais, Russell  
Flanders, Donald  
LeBreche, Shari

Tilton, Franklin  
Gallagher, Brian  
Russell, David

Fields, Dennis  
Howard, Raymond  
Fraser, Valerie

Fisher, Robert  
Hurt, George  
Varney, Peter

**CARROLL**

Buco, Thomas  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

McCarthy, Frank  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Mann, John  
Phillips, Larry  
Sterling, Franklin

Tilton, Benjamin  
Emerson, Susan  
McConnell, James  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Hunt, John  
Parkhurst, Henry  
Sad, Tara

**COOS**

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

Rappaport, Laurence

**GRAFTON**

Abel, Richard  
Brown, Duane  
Maes, Kevin

Bailey, Brad  
Hennessey, Erin  
Smith, Suzanne

Bennett, Travis  
Gionet, Edmond  
Sykes, George

Cooney, Mary  
Higgins, Patricia

**HILLSBOROUGH**

Balcom, John  
Biggie, Barbara  
Roberts, Carol  
Cote, David  
Estevez, Eric  
Gonzalez, Carlos  
Hansen, Peter  
Jack, Martin  
Kurk, Neal  
Leishman, Peter  
McClarren, Donald  
Brown, Pamela  
Peterson, Ken  
Ober, Russell  
Shattuck, Gilman  
Takesian, Charlene

Baroody, Benjamin  
Boehm, Ralph  
Coffey, James  
Danielson, David  
Forest, Armand  
Gorman, Mary  
Harvey, Suzanne  
Judy, Jean  
Christiansen, Lars  
O'Brien, Michael  
McNamara, Richard  
Long, Patrick  
Pierce, David  
Rouillard, Claire  
Simmons, Tammy  
Williams, Kermit

Barry, Richard  
Byron, Frank  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Haefner, Robert  
Heath, Mary  
Rice, Kimberly  
Ober, Lynne  
Mangipudi, Latha  
Murotake, David  
McCarthy, Peggy  
Porter, Marjorie  
Schleien, Eric  
Snow, Kendall  
Wolf, Terry

Beaulieu, Jane  
Christensen, Chris  
Cornell, Patricia  
Donovan, Daniel  
Gargas, Carolyn  
Hansberry, Daniel  
Hinch, Richard  
Katsiantonis, Thomas  
LeBrun, Donald  
Manley, Jonathan  
O'Neil, William  
Pellegrino, Anthony  
Christie, Rick  
Scontsas, Lisa  
Straight, Phillip  
Woodbury, David

**MERRIMACK**

French, Barbara  
Long, Douglas  
Gile, Mary  
Luneau, David  
Moffett, Howard  
Rogers, Katherine

Bartlett, Christy  
Deloge, Helen  
Henle, Paul  
MacKay, James  
Myler, Mel  
Saunderson, George

Bradley, Paula  
Doherty, David  
Hess, David  
Marple, Richard  
Patten, Dick  
Schuett, Dianne

Rice, Chip  
Ebel, Karen  
Kotowski, Frank  
Martin, John  
Ratzki, Mario  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur

Abrami, Patrick  
Bush, Carol

Allen, Mary  
Cardon, G. Thomas

Azarian, Gary  
Chirichiello, Brian

DeSimone, Debra  
Chase, Francis  
Francese, Paula  
Green, Dennis  
Introne, Robert  
Kolodziej, Walter  
Manning, John  
Gordon, Pamela  
Schroadter, Adam  
Welch, David

DiFranco, Debbie  
Rice, Frederick  
Friel, William  
Guthrie, Joseph  
Sweeney, Joe  
Lovejoy, Patricia  
McBeath, Rebecca  
Peckham, Michele  
Sherman, Thomas  
Weyler, Kenneth

Duarte, Joe  
Ferrante, Beverly  
Ward, Gerald  
Hagan, Joseph  
Ward, Joanne  
Griffin, Mary  
McKinney, Betsy  
Potucek, John  
Vose, Michael  
Woitkun, Steven

Elliott, Robert  
Fesh, Robert  
Gannon, William  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Major, Norman  
O'Connor, John  
Tilton, Rio  
Webb, James

### STRAFFORD

Bickford, David  
Gardner, Janice  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Ward, Kenneth  
Pitre, Joseph  
Treleven, Susan

Burton, Wayne  
Leeman, Don  
Rollo, Deanna

Cheney, Catherine  
Mullen, John  
Southworth, Thomas

### SULLIVAN

Schmidt, Andrew  
Grenier, James

Cloutier, John  
Laware, Thomas

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

### NAYS - 129

#### BELKNAP

Aldrich, Glen

Spanos, Peter

Sylvia, Michael

Vadney, Herbert

#### CARROLL

Avellani, Lino  
Ticehurst, Susan

Butler, Edward

Chandler, Gene

Cordelli, Glenn

### CHESHIRE

Berch, Paul

Johnsen, Gladys

Roberts, Kris

Weber, Lucy

### COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Thomas, Yvonne

### GRAFTON

Almy, Susan  
Hull, Robert

Darrow, Stephen  
Massimilla, Linda

Johnson, Eric  
Nordgren, Sharon

Ford, Susan  
Townsend, Charles

### HILLSBOROUGH

Ammon, Keith  
Burt, John  
Edwards, Elizabeth  
Gould, Linda  
Belanger, James  
Moore, Josh  
Parison, James  
Sanborn, Laurie  
Ulery, Jordan

Griffin, Barbara  
Sullivan, Daniel  
Ferreira, Elizabeth  
Guerette, C. Lee  
Lachance, Joseph  
Murphy, Keith  
Proulx, Mark  
Seidel, Carl  
Sullivan, Victoria

Backus, Robert  
Eastman, Eric  
Gagne, Larry  
Hogan, Edith  
Marston, Dick  
Notter, Jeanine  
Walsh, Robert  
Souza, Kathleen  
Vann, Ivy

Bouldin, Amanda  
Edelblut, Frank  
Goley, Jeffrey  
Hopper, Gary  
McLean, Mark  
Ohm, Bill  
Rosenwald, Cindy  
Twombly, Timothy  
Zaricki, Nick

### MERRIMACK

Turcotte, Alan  
Carson, Clyde  
Hoell, J.R.  
Kuch, Bill  
Wheeler, Deborah

Alicea, Caroletta  
McGuire, Dan  
Horn, Werner  
Seaworth, Brian

Brewster, Michael  
French, Harold  
Karrick, David  
Shurtleff, Stephen

McGuire, Carol  
Hill, Gregory  
Kenison, Linda  
Wallner, Mary Jane

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Berrien, Skip
Cahill, Michael	Cali-Pitts, Jacqueline	Cook, Allen	Cushing, Robert
Thomas, Douglas	Dean-Bailey, Yvonne	Devine, James	Edgar, Michael
Emerick, J. Tracy	Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Matthews, Carolyn	McMahon, Charles
Nigrello, Robert	Osborne, Jason	Packard, Sherman	Pantelakos, Laura
Prudhomme-O'Brien, Katherine	Gordon, Richard	Simpson, Alexis	Spillane, James
Sytek, John	True, Chris	Tucker, Pamela	

**STRAFFORD**

Baber, William	Cilley, Jacalyn	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Thomas	Kaen, Naida	Turcotte, Leonard
Smith, Marjorie	Spang, Judith	Wall, Janet	Wuelper, Kurt

**SULLIVAN**

Converse, Larry	Irwin, Virginia	O'Hearne, Andrew	Smith, Steven
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and the motion was adopted.

The question now being adoption of the motion to limit debate to 15 running minutes on each side, including questions.

Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 269 NAYS 73**

**YEAS - 269****BELKNAP**

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Fisher, Robert
Flanders, Donald	Gallagher, Brian	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Fraser, Valerie	Varney, Peter

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Hunt, John	Roberts, Kris	Ley, Douglas	Mann, John
McConnell, James	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Hennessey, Erin	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Hull, Robert	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne	Sykes, George
Townsend, Charles			

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Byron, Frank	Christensen, Chris	Roberts, Carol	Coffey, James
Cohen, Alan	Cornell, Patricia	Cote, David	Sullivan, Daniel
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Edelblut, Frank
Estevez, Eric	Forest, Armand	Freitas, Mary	Gargas, Carolyn
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Hinch, Richard	Jack, Martin	Judry, Jean
Rice, Kimberly	Katsiantonis, Thomas	Christiansen, Lars	Ober, Lynne
LeBrun, Donald	Leishman, Peter	O'Brien, Michael	Mangipudi, Latha
Manley, Jonathan	Marston, Dick	McClarren, Donald	McNamara, Richard
Murotake, David	O'Neil, William	Brown, Pamela	Long, Patrick
McCarthy, Peggy	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Christie, Rick	Ober, Russell
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Schleien, Eric
Scotsas, Lisa	Shattuck, Gilman	Simmons, Tammy	Snow, Kendall
Straight, Phillip	Takesian, Charlene	Sullivan, Victoria	Williams, Kermit
Wolf, Terry	Woodbury, David	Zaricki, Nick	

**MERRIMACK**

Turcotte, Alan	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Long, Douglas	Doherty, David
Ebel, Karen	Gile, Mary	Henle, Paul	Hess, David
Karrick, David	Kenison, Linda	Kotowski, Frank	Kuch, Bill
Luneau, David	MacKay, James	Marple, Richard	Martin, John
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Walsh, Thomas	Wallner, Mary Jane	Wheeler, Deborah	

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Allen, Mary	Azarian, Gary
Barnes, Arthur	Berrien, Skip	Bush, Carol	Cahill, Michael
Cardon, G. Thomas	Chirichiello, Brian	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Chase, Francis	Rice, Frederick	Ferrante, Beverly
Fesh, Robert	Francesse, Paula	Friel, William	Ward, Gerald
Gannon, William	Green, Dennis	Guthrie, Joseph	Hagan, Joseph
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Sweeney, Joe	Ward, Joanne	Katsakiores, Phyllis	Kolodziej, Walter
Lovejoy, Patricia	Griffin, Mary	Major, Norman	Manning, John
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
Nigrello, Robert	O'Connor, John	Gordon, Pamela	Packard, Sherman
Pantelakos, Laura	Peckham, Michele	Potucek, John	Gordon, Richard
Tilton, Rio	Sherman, Thomas	Simpson, Alexis	Sytek, John
Vose, Michael	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	Gardner, Janice	Gray, James
Ward, Kenneth	Kaen, Naida	Leeman, Don	Mullen, John
Schmidt, Peter	Pitre, Joseph	Rollo, Deanna	Southworth, Thomas
Spang, Judith	Stevens, Audrey	Treleaven, Susan	Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Grenier, James  
Oxenham, Lee

Cloutier, John  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew

**NAYS - 73****BELKNAP**

Aldrich, Glen

Howard, Raymond

Sylvia, Michael

Vadney, Herbert

**CARROLL**

Avellani, Lino

Cordelli, Glenn

**CHESHIRE**

Johnsen, Gladys

**COOS**

Rideout, Leon

**GRAFTON**

Darrow, Stephen

Johnson, Eric

**HILLSBOROUGH**

Ammon, Keith  
Edwards, Elizabeth  
Hogan, Edith  
Lachance, Joseph  
Notter, Jeanine  
Seidel, Carl  
Vann, Ivy

Griffin, Barbara  
Ferreira, Elizabeth  
Hopper, Gary  
McLean, Mark  
Ohm, Bill  
Souza, Kathleen

Burt, John  
Gagne, Larry  
Belanger, James  
Moore, Josh  
Parison, James  
Twombly, Timothy

Eastman, Eric  
Gould, Linda  
Kurk, Neal  
Murphy, Keith  
Sanborn, Laurie  
Ulery, Jordan

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
Horn, Werner

Brewster, Michael  
French, Harold  
Seaworth, Brian

McGuire, Carol  
Hill, Gregory

McGuire, Dan  
Hoell, J.R.

**ROCKINGHAM**

Abramson, Max  
Cook, Allen  
Harris, Jeffrey  
Prudhomme-O'Brien, Katherine  
Tucker, Pamela

Baldasaro, Alfred  
Cushing, Robert  
Itse, Daniel  
Schroadtter, Adam

Bates, David  
Thomas, Douglas  
Kappler, Lawrence  
Spillane, James

Cali-Pitts, Jacqueline  
Edgar, Michael  
Osborne, Jason  
True, Chris

**STRAFFORD**

DeLemus, Susan  
Horrigan, Timothy  
Smith, Marjorie

Graham, Robert  
Jones, Laura  
Wuelper, Kurt

Groen, Warren  
Kaczynski, Thomas

Hannon, Joseph  
Turcotte, Leonard

**SULLIVAN**

Converse, Larry  
and the motion was adopted.

The question being adoption of committee amendment (0067h).  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Reps. Groen, Moore, Baldasaro, Cook and Ohm spoke against.  
Reps. Simpson, Butler, Zaricki and Fothergill spoke in favor.  
Reps. Hoell and Prudhomme-O'Brien spoke against and yielded to questions.  
Rep. Schleien spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.



**YEAS 229 NAYS 99****YEAS - 229****BELKNAP**

Dumais, Russell  
Russell, David

Fields, Dennis  
Spanos, Peter

Fisher, Robert  
Vadney, Herbert

LeBreche, Shari

**CARROLL**

Butler, Edward  
Ticehurst, Susan

Chandler, Gene  
Umberger, Karen

Comeau, Ed

Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Ames, Richard  
Chase, Cynthia  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

Tilton, Benjamin  
Eaton, Daniel  
Ley, Douglas  
Phillips, Larry  
Sterling, Franklin

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

**COOS**

Fothergill, John  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Smith, Suzanne

Almy, Susan  
Hennessey, Erin  
Maes, Kevin  
Sykes, George

Bennett, Travis  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Cooney, Mary  
Gionet, Edmond  
Nordgren, Sharon

**HILLSBOROUGH**

Ammon, Keith  
Biggie, Barbara  
Roberts, Carol  
Sullivan, Daniel  
Edwards, Elizabeth  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
Kurk, Neal  
O'Brien, Michael  
Murotake, David  
McCarthy, Peggy  
Porter, Marjorie  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

Balcom, John  
Bouldin, Amanda  
Cohen, Alan  
Danielson, David  
Estevez, Eric  
Gorman, Mary  
Hansen, Peter  
Belanger, James  
Christiansen, Lars  
Mangipudi, Latha  
O'Neil, William  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Straight, Phillip  
Wolf, Terry

Barry, Richard  
Byron, Frank  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Guerette, C. Lee  
Harvey, Suzanne  
Jack, Martin  
Ober, Lynne  
Manley, Jonathan  
Brown, Pamela  
Peterson, Ken  
Ober, Russell  
Schleien, Eric  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Christensen, Chris  
Cote, David  
Donovan, Daniel  
Gargas, Carolyn  
Haefner, Robert  
Heath, Mary  
Rice, Kimberly  
Leishman, Peter  
McClarren, Donald  
Long, Patrick  
Pierce, David  
Walsh, Robert  
Shattuck, Gilman  
Vann, Ivy  
Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Doherty, David  
Hess, David  
Kuch, Bill  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Alicea, Caroletta  
Rice, Chip  
Ebel, Karen  
Karrick, David  
Luneau, David  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

French, Barbara  
Carson, Clyde  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Deloge, Helen  
Henle, Paul  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cardon, G. Thomas  
Devine, James  
Elliott, Robert  
Ferrante, Beverly  
Guthrie, Joseph  
Sweeney, Joe  
Major, Norman  
Nigrello, Robert  
Pantelakos, Laura  
Schroadter, Adam  
Vose, Michael

Abrami, Patrick  
Berrien, Skip  
Cushing, Robert  
DiFranco, Debbie  
Emerick, J. Tracy  
Francese, Paula  
Heffron, Frank  
Katsakiores, Phyllis  
Matthews, Carolyn  
O'Connor, John  
Peckham, Michele  
Sherman, Thomas  
Welch, David

Abramson, Max  
Cahill, Michael  
Dean-Bailey, Yvonne  
Duarte, Joe  
Chase, Francis  
Friel, William  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McBeath, Rebecca  
Osborne, Jason  
Potucek, John  
Simpson, Alexis  
Woitkun, Steven

Azarian, Gary  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Edgar, Michael  
Rice, Frederick  
Ward, Gerald  
Introne, Robert  
Griffin, Mary  
McMahon, Charles  
Gordon, Pamela  
Tilton, Rio  
Sytek, John

**STRAFFORD**

Baber, William  
Cheney, Catherine  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Cilley, Jacalyn  
Ward, Kenneth  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Burton, Wayne  
Hannon, Joseph  
Smith, Marjorie  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Smith, Steven

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 99****BELKNAP**

Aldrich, Glen  
Howard, Raymond  
Varney, Peter

Tilton, Franklin  
Hurt, George

Flanders, Donald  
Sylvia, Michael

Gallagher, Brian  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
McConkey, Mark

Buco, Thomas  
Nelson, Bill

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ingbretson, Paul

Brown, Duane

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Coffey, James  
Gagne, Larry  
Hopper, Gary  
LeBrun, Donald  
Murphy, Keith  
Scontsas, Lisa  
Twombly, Timothy

Griffin, Barbara  
Eastman, Eric  
Gonzalez, Carlos  
Infantine, William  
Marston, Dick  
Notter, Jeanine  
Seidel, Carl  
Ulery, Jordan

Boehm, Ralph  
Edelblut, Frank  
Gould, Linda  
Judy, Jean  
McLean, Mark  
Ohm, Bill  
Simmons, Tammy  
Sullivan, Victoria

Burt, John  
Ferreira, Elizabeth  
Hogan, Edith  
Lachance, Joseph  
Moore, Josh  
Christie, Rick  
Souza, Kathleen

**MERRIMACK**

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Marple, Richard	Martin, John	Seaworth, Brian	

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bates, David	Bush, Carol
Cook, Allen	Thomas, Douglas	Gannon, William	Green, Dennis
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Ward, Joanne	Kappler, Lawrence	Kolodziej, Walter	McKinney, Betsy
Prudhomme-O'Brien, Katherine	Gordon, Richard	True, Chris	Tucker, Pamela

**STRAFFORD**

DeLemus, Susan	Graham, Robert	Gray, James	Groen, Warren
Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don
Mullen, John	Pitre, Joseph	Wuelper, Kurt	

**SULLIVAN**

Laware, Thomas                      Rollins, Skip  
and the committee report was adopted and ordered to third reading.  
Rep. Eastman voted Nay and intended to vote Yea.

**HB 1701-FN, relative to specialty care in drop-in or walk-in clinics. INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies licensure for facilities offering specialty care for drop-in or walk-in patients. This bill presented extensive controversy in the committee debate that it decided the best course of action was to ITL the bill rather than possibly do unexpected harm. Vote 16-1.

**MOTION TO LAY ON THE TABLE**

Rep. Joe Sweeney moved that **HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics, be laid on the table.  
Motion adopted.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Marple moved that the House reconsider its action whereby, on a roll call vote of 180-177, the House adopted the majority committee report of Inexpedient to Legislate on **HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid.

On a division vote, with 117 members having voted in the affirmative, and 211 in the negative, the motion failed.

**REGULAR CALENDAR PART III CONT'D****HB 1126, limiting the authority of delegates to Article V conventions. INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Legislative Administration. This bill establishes a procedure for the selection of delegates to an Article V Convention. An Article V Convention is a convention called by the states for the purpose of proposing amendments to the US Constitution. The bill is premature and unnecessary. There would be adequate time, if an Article V Convention were called, for determining the authority of delegates. The language of the bill places restrictions on delegates that may or may not be appropriate at that time. We should not be forcing our representatives into positions which could change if, or when, such a convention is called. Vote 7-1.

**MOTION TO LAY ON THE TABLE**

Rep. Hinch moved that **HB 1126**, limiting the authority of delegates to Article V conventions, be laid on the table.  
Motion adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill attempts to provide boilerplate zoning codes that would fit all communities from Vallejo, California, to Hollis, New Hampshire. Although the codes can be modified to fit local needs and desires, they are simply suggestions and communities in New Hampshire are already using them as suggested wording for their zoning regulations. If this bill passed and was adopted into our statutes, it would send a message to communities that this was the preferred method of adopting zoning which would conflict with their local authority. The committee felt there was no need to send suggestive language to communities who are very capable of developing their own language and are able to use the suggested codes without language from the state. Vote 14-0.

**MOTION TO LAY ON THE TABLE**

Rep. James Belanger moved that **HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation, be laid on the table.

On a division vote, with 306 members having voted in the affirmative, and 17 in the negative, the motion was adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1359**, relative to the tax credit for service-connected disability. **INEXPEDIENT TO LEGISLATE.** Rep. James Belanger for Municipal and County Government. The intent of this bill is something most would support as it recognizes the sacrifice our veterans have made for our freedom. But the bill ignores the financial status of veterans who qualify. It allows surviving spouses to be tax exempt if they enter into a civil union with a partner. It does not allow for veterans who are terminally ill from Agent Orange. The committee awaits the arrival of SB 348 on the same subject which addresses concerns over this House bill. Vote 16-0.

**MOTION TO LAY ON THE TABLE**

Rep. James Belanger moved that **HB 1359**, relative to the tax credit for service-connected disability, be laid on the table.

Motion adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1134**, relative to open access to broadband infrastructure. **INEXPEDIENT TO LEGISLATE.** Rep. Herbert Vadney for Science, Technology and Energy. This bill posited that towns are blocking passage of high-speed internet cables from passing through their towns and thereby hindering the expansion of broadband internet access to citizens. The promoters of the bill could not cite any actual cases of such hindrance, but were basing the need on what they had heard from other people. Vote 20-0.

**MOTION TO LAY ON THE TABLE**

Rep. Hinch moved that **HB 1134**, relative to open access to broadband infrastructure, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 286 members having voted in the affirmative, and 33 in the negative, the motion was adopted.

**REGULAR CALENDAR PART III CONT'D**

**HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Peggy McCarthy for State-Federal Relations and Veterans Affairs. This resolution recommends a very small investigation limited to one segment of the population. Benzodiazepines are prescribed to more than veterans and any investigation should look at all who have taken the drug plus the variety of other drugs being taken at the same time by this population. Testimony given said this is not a problem in New Hampshire. The Veteran's Association both nationally and in New Hampshire is already taking proactive steps to address the issues of prescription drug use and suicides by veterans. The decision made about drugs should be between a doctor and his or her patient. Vote 13-0.

**MOTION TO LAY ON THE TABLE**

Rep. Russell Ober moved that **HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 277 members having voted in the affirmative, and 44 in the negative, the motion was adopted.

**BILL REMOVED FROM THE CONSENT CALENDAR**

**HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Leishman for Finance. This bill proposed to establish a new position of licensed alcohol and drug counselor (LADC) in the Department of Safety (DOS), Bureau of Emergency Medical Services. DOS revised its original request. The bill originally asked for one new staff position but requested funding for five new staff positions. DOS then asked for one consultant in FY 17 whose responsibilities would be to produce a written list of treatment resources for first responders to have. The list has already been developed and published by the Department of Health and Human Services and is available now. DOS will develop a well-thought-out plan for the consultant and submit it as part of the next budget. Consequently, the committee believes it would be more effective to use the state's limited funds for additional drug treatment programs as opposed to establishing these positions and/or hiring this consultant. Vote 26-0.

**MOTION TO LAY ON THE TABLE**

Rep. Lynne Ober moved that **HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor, be laid on the table.

On a division vote, with 267 members having voted in the affirmative, and 52 in the negative, the motion was adopted.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 6, 2016 at 10:00 a.m..

**LATE SESSION****Third Reading and Final Passage**

**HR 20**, memorializing State Representative Robert Luther of Laconia.

**HB 1594-FN**, relative to emergency medical services.

**HB 1130**, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

**HB 1404-FN**, relative to certain director positions in the insurance department.

**HB 1644-FN**, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

**HB 1695-FN**, relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies.

**HB 1298**, relative to damage to private property.

**HB 1292**, relative to the use of abandoned agricultural property.

**HB 1182-FN**, establishing a committee to study fees for sales of wine by manufacturers.

**HB 1584-FN**, relative to the discharge of a person committed for nonpayment of a fine.

**HB 1590-FN-A-L**, relative to the regulation and taxation of short-term rental businesses.

**HB 1655-FN**, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

**HB 1685-FN**, relative to mortgage bankers, brokers, and servicers.

**HB 280-FN**, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.

**HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

**HB 636-FN**, relative to forfeiture of property.

**HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor.

**HB 1531**, permitting the legislature to open the state house on weekends.

**HB 1553-FN**, transferring the administration of the telecommunications accounting unit.

**HB 602-FN**, relative to the use of drones.

**HB 1681-FN**, relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

**HB 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent.

**HB 1231**, relative to school district policy regarding objectionable course material.

**HB 1300**, relative to the content of patriotic exercises in public schools.

**HB 1338**, relative to student exemption from the statewide assessment.

**HB 1637-FN**, relative to school attendance in towns with no public schools.

**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

**HB 1497**, relative to the limits on disclosure of information used on college entrance exams.

**HB 1144-L**, relative to notice for sessions of correction of the check list.

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 5:10 p.m.

### RECESS

(Rep. Chandler in the Chair)

### ENROLLED BILL AMENDMENT

**SB 110-FN**, establishing the administrative supervision act. (Amendment printed SJ 3-24-16)

Adopted.

### RECESS

(Rep. Russell Ober in the Chair)

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 301.

Rep. Hinch, Sen. Prescott for the Committee

### ENROLLED BILL AMENDMENT

**SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Amendment printed SJ 3-24-16)

Adopted.

### SENATE MESSAGES

### CONCURRENCE

**HB 1438-FN-L**, relative to the registration of antique trailers.

### NONCONCURRENCE

**HB 661-FN**, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

### RECESS

**(Speaker Jasper in the Chair)****RESOLUTION**

Rep. Packard offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 308, 324, 326, 336, 337, 341, 342, 345, 347, 348, 362, 374, 376, 379, 381, 387, 391, 394, 401, 402, 404, 415, 416, 417, 421, 423, 430, 431, 432, 439, 452, 456, 466, 475, 481, 482, 488, 491, 492, 494, 495, 496, 503, 506, 509, 510, 515, 519, 521, 527, 532, 533, 535, 539, 540, 541, 544, 546, 547, 552, 553, Senate Concurrent Resolution numbered 3 and 4, and Constitutional Amendment Concurrent Resolution numbered 27 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

**INTRODUCTION OF SENATE BILLS, SCRS AND CACR****First, second reading and referral**

- SB 308**, relative to the definition of small loans and relative to certain fees on small loans. (Commerce and Consumer Affairs)
- SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Executive Departments and Administration)
- SB 326**, relative to the membership of the community college system of New Hampshire board of trustees. (Education)
- SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Criminal Justice and Public Safety)
- SB 337**, establishing a committee to study the immunity of court-appointed special advocates. (Judiciary)
- SB 341**, establishing a committee to study guardianship in New Hampshire. (Judiciary)
- SB 342-FN**, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Ways and Means)
- SB 345**, relative to the definition of agritourism. (Environment and Agriculture)
- SB 347**, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. (Municipal and County Government)
- SB 348**, allowing municipalities to adopt a property tax exemption for certain disabled veterans. (Municipal and County Government)
- SB 362**, requiring notice to planning boards of placement of signs on scenic byways. (Transportation)
- SB 374**, requiring the department of environmental services to update coastal flooding trends. (Resources, Recreation and Development)
- SB 376-FN**, relative to wildlife corridors. (Fish and Game and Marine Resources)
- SB 379**, relative to additional tests to determine alcohol concentration. (Criminal Justice and Public Safety)
- SB 381**, relative to the combustion of the wood component of construction and demolition debris. (Science, Technology and Energy)
- SB 387**, relative to the disposition of ward accounts. (Judiciary)
- SB 391**, relative to annulment of certain misdemeanor offenses. (Criminal Justice and Public Safety)
- SB 394**, relative to criminal history record checks of nursing home administrators. (Criminal Justice and Public Safety)
- SB 401-FN**, relative to insurance coverage for prescription eye drops. (Commerce and Consumer Affairs)
- SB 402**, relative to procedures related to the disclosure of exculpatory evidence by police officers. (Judiciary)
- SB 404**, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. (Children and Family Law)
- SB 415**, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. (Environment and Agriculture)
- SB 416**, relative to flexible working arrangements in employment. (Labor, Industrial and Rehabilitative Services)
- SB 417**, relative to employment contract restrictions upon physicians. (Health, Human Services and Elderly Affairs)
- SB 421**, relative to liability of governmental units. (Executive Departments and Administration)

- SB 423**, relating to the right of 17-year olds to register to vote. (Election Law)
- SB 430**, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. (Health, Human Services and Elderly Affairs)
- SB 431**, relative to data submission by insurers. (Commerce and Consumer Affairs)
- SB 432**, relative to itemized bills for medical services. (Commerce and Consumer Affairs)
- SB 439**, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Health, Human Services and Elderly Affairs)
- SB 452-FN**, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. (Executive Departments and Administration)
- SB 456-FN**, relative to reporting of receipts and expenditures by candidates and candidate committees. (Election Law)
- SB 466-FN**, relative to the detention of a minor while waiting for the disposition of his or her case. (Children and Family Law)
- SB 475-FN**, requiring law enforcement agencies to file crime reports with the department of safety. (Criminal Justice and Public Safety)
- SB 481-FN**, relative to a special health care service license and establishing a fund. (Health, Human Services and Elderly Affairs)
- SB 482-FN-L**, establishing a committee to study the effect of short-term rentals on municipalities. (Municipal and County Government)
- SB 488-FN-L**, relative to breastfeeding. (Commerce and Consumer Affairs)
- SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. (Health, Human Services and Elderly Affairs)
- SB 492-FN**, relative to expenditures from the energy efficiency fund. (Science, Technology and Energy)
- SB 494-FN-A**, limiting an exemption from the road toll. (Ways and Means)
- SB 495-FN-A**, relative to state retiree health plan costs and funding. (Finance)
- SB 496-FN**, relative to personal care attendant services. (Health, Human Services and Elderly Affairs)
- SB 503-FN-A**, relative to pre-kindergarten education using "pay for success" financing. (Education)
- SB 506**, clarifying who may adopt. (Judiciary)
- SB 509-FN**, relative to voter registration forms and relative to voter identity verification. (Election Law)
- SB 510-FN**, relative to parking at state park parking meters. (Transportation)
- SB 515-FN**, relative to child neglect and other changes to the child protection act. (Children and Family Law)
- SB 519**, relative to highway signs. (Transportation)
- SB 521-FN**, relative to an OHRV registration fee for persons who are members of an OHRV club. (Resources, Recreation and Development)
- SB 527-FN-A**, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making an appropriation to the department of safety for the purchase of state police cruisers. (Finance)
- SB 532-FN**, relative to prior authorization for substance abuse treatment. (Commerce and Consumer Affairs)
- SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. (Health, Human Services and Elderly Affairs)
- SB 535-FN-A**, establishing a grant program for high schools for heroin and opiate prevention education. (Health, Human Services and Elderly Affairs)
- SB 539**, relative to access to records under the child protection act. (Criminal Justice and Public Safety)
- SB 540-FN**, relative to the possession, use, or sale of kratom by any person under 18 years of age. (Criminal Justice and Public Safety)
- SB 541**, establishing a commission to study provider rates. (Health, Human Services and Elderly Affairs)
- SB 544**, establishing a committee to study funding options for the Internet crimes against children task force. (Criminal Justice and Public Safety)
- SB 546-FN**, relative to petitions for verification of checklists. (Election Law)
- SB 547**, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. (State-Federal Relations and Veterans Affairs)



**SB 552-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means)

**SB 553**, relative to implementation of the Medicaid managed care program. (Health, Human Services and Elderly Affairs)

**SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. (State-Federal Relations and Veterans Affairs)

**SCR 4**, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. (State-Federal Relations and Veterans Affairs)

**CACR 27**, relating to the operating budget. Providing that the state shall not spend more from any fund than such fund receives in revenue, nor use the proceeds of any bond to fund its annual operating expenditures. (Finance)

## RECESS

(Rep. Bates in the Chair)

### ENROLLED BILL AMENDMENT

**SB 238-FN**, relative to the workers' compensation appeals board. (Amendment printed SJ 3-31-16)  
Adopted.

## RECESS

(Rep. Andrew Christie in the Chair)

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 380.  
Rep. Hinch, Sen. Prescott for the Committee

## RECESS

(Rep. Rosenwald in the Chair)

### ENROLLED BILL AMENDMENT

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

### Amendment (1246-EBA)

Amend RSA 404-G:2, X-c as inserted by section 9 of the bill by replacing line 2 with the following:  
to RSA 126-A:5, XXV.  
Adopted.

## SENATE MESSAGE

### CONCURRENCE

**HB 242**, relative to the statewide improvement and assessment program.

**HB 295**, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

**HB 1145**, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.

**HB 1171**, relative to appeals heard by the waste management council.

**HB 1199**, allowing adults to play children's bingo at private campgrounds or hotels.

**HB 1315**, adding mixed-use development to the definition of business and industrial facility.

**HB 1355**, relative to poultry producers exempted from meat inspection requirements.

**HB 1388-FN**, expanding crossbow use into muzzleloader season.

**HB 1418-L**, relative to the minutes of nonpublic sessions of public bodies.

**HB 1419**, relative to voting records in nonpublic sessions of public bodies.

## REFERRED FOR INTERIM STUDY

**HB 183**, relative to voter registration forms.

**NONCONCURRENCE**

**HB 110**, relative to placement of political advertising.

**HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections.

**COMMITTEE ASSIGNMENTS**

The Speaker made the following changes to committee assignments:

Rep. Edgar assigned to the Committee on Labor, Industrial and Rehabilitative Services.

**RECESS**

**(Rep. Emerson in the Chair)**

**ENROLLED BILL REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1696.

Rep. Hinch, Sen. Soucy for the Committee

**SENATE MESSAGE****CONCURRENCE**

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

**COMMITTEE ASSIGNMENTS**

The Speaker made the following changes to committee assignments:

Rep. Edgar is off the Committee on Labor, Industrial and Rehabilitative Services and on the Committee on Fish and Game and Marine Resources.

Rep. Zaricki is off the Committee on Labor, Industrial and Rehabilitative Services.

**RECESS**

**(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.

## HOUSE JOURNAL NO. 11

Wednesday, April 6, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

### A Scottish Blessing for Tartan Day

May the blessing of light be on you - light without and light within.

May the blessed sunlight shine on you like a great peat fire,  
So that strangers and friends may come and warm themselves at it.

And may light shine out of the two eyes of you,  
like a candle set in the window of a house,  
bidding the wanderer come in out of the storm.

And may the blessing of the rain be on you,  
may it beat upon your spirit and wash it fair and clean,  
and leave there a shining pool where the blue of heaven shines,  
and sometimes a star.

And may the blessing of the earth be on you,  
soft under your feet as you pass along the roads,  
soft under you as you lie out on it, tired at the end of day;  
and may it rest easy over you when, at last, you lie out under it.

May it rest so lightly over you  
that your soul may be out from under it quickly;  
up and off and on its way to God.  
and now may the Lord bless you,  
and bless you kindly. Amen.

Representative Peter Leishman, member from Peterborough, and Representative Dan Eaton, member from Stoddard, led the Pledge of Allegiance.

The National Anthem was sung by Elizabeth Fortin of Peterborough.

### LEAVES OF ABSENCE

Reps. Barry, Ronald Belanger, Bridge, Chris Brown, Chirichiello, Comtois, Cote, DiFranco, Gargas, Gonzalez, Gladys Johnsen, Kellogg, LeBreche, Massimilla, Carol McGuire, Milz, Moody, Phillips, Priestley, Chip Rice, Sanders, Shaw, Joe Sweeney and Verschueren, the day, illness.

Reps. Ammon, Duane Brown, Dumais, Friel, Heath, Jones, Douglas Long, Lundgren, O'Hearne, O'Neil, Oligny, Parison, Seaworth, Marjorie Smith, Suzanne Smith, Soucy, Spillane, Sprague, Tamburello, Gerald Ward and Webb, the day, important business.

Reps. James Belanger, Rebecca Brown and Harvey, the day, illness in the family.

Rep. O'Connor, the day, death in the family.

### INTRODUCTION OF GUESTS

Eric Scheuch and Charlotte Perkins, students at Kearsarge Regional High School, Pages for the day.

John Fortin, husband of the singer, guest of Rep. Leishman. Jim and Mary Wojdylak, Seamus and Buddy Sullivan, parents and sons of Rep. Victoria Sullivan. Lynda Hunt, Katelyn and Ella Churchill, Gloria Sweeney, Terri Wiltse, Lois Meredith, Ellen Avery, Sue Butman, and David Bruce; wife, step-daughter, granddaughter, mother-in-law and guests of Rep. Hunt. Ken Dassau, guest of Rep. Gallagher. Chris Roundy, guest of Rep. Southworth. Melissa Cunliff, guest of Rep. Stevens. John Lunn, guest of Rep. Irwin. Scott Webster, and Sherry Thompson, guests of Rep. Joanne Ward. Marcus Hermansen, guest of Rep. Rosenwald. Bethany Leak, and Matt Dustin, guests of Rep. Ratzki. Allyson Zacker, guest of Rep. Mangipudi. Charlene Lovett, Middleton Goodwin, and Susan Johnson, guests of the Claremont Delegation. Students from Bud Carlson Academy, guests of the Rochester Delegation. Students from Saint Mary Academy, guests of the Dover Delegation.

The Clerk read the following:

**A PROCLAMATION  
NEW HAMPSHIRE TARTAN DAY  
APRIL 6, 2016**

**WHEREAS**, the Declaration of Arbroath, pronouncing Scottish independence, was signed at Arbroath Abbey on April 6, 1320, by Bernard de Linton, Chancellor of Scotland; and

**WHEREAS**, helping to expand freedom for all people, Scotland abolished slavery in 1777 by freeing African-born slave Joseph Knight, who had been sold in Jamaica and brought to Scotland; and

**WHEREAS**, the United States Declaration of Independence was modeled, in part, after the Declaration of Arbroath; and

**WHEREAS**, nearly half the signers of the Declaration of Independence and nine of the country's original governors, including New Hampshire's governor, were of Scottish descent; and

**WHEREAS**, Scots and Scottish-Americans have made outstanding contributions to both the United States and the State of New Hampshire in the fields of science, math, medicine, education, politics, business, and the arts; and

**WHEREAS**, the United States Senate has passed a resolution designating April 6th of each year as National Tartan Day; and

**WHEREAS**, the Saint Andrew's Society of New Hampshire, along with many other Scottish organizations, including the New Hampshire Gathering of the Scottish Clans, the Scottish Club of the Twin States, the Strathspey & Reel Society of New Hampshire, the New Hampshire School of Scottish Arts, and thousands of citizens who claim Scottish heritage in the state support Scottish Heritage Day;

**NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR** of the State of New Hampshire, do hereby proclaim **APRIL 6, 2016**, as **NEW HAMPSHIRE TARTAN DAY** and call upon the citizens of the state to commemorate the great struggles of freedom and historical achievements of Scottish Americans in New Hampshire.

Given this 5th day of April, in the year of Our Lord two thousand and sixteen, and the independence of the United States of America, two hundred and forty.

Margaret Wood Hassan, Governor

**TARTAN DAY PROGRAM**

Rep. Hunt introduced special guests who performed for the House in honor of New Hampshire Tartan Day: Marielle Webster, Sveta Gerace, Anna Gordon, Hazel Dellario, Laura and Sebastian Benedetto and Campbell Webster. Pipers from the NH Pipe & Drums played the lament in memory of Representatives Robbie Parsons and Robert Luther.

Rep. Joanne Ward offered a Scottish blessing.

May there always be work for your hands to do.

May your purse always hold a coin or two.

May the sun always shine upon your window pane.

May a rainbow be certain to follow each rain.

May the hand of a friend always be near to you and,

May God fill your heart with gladness to cheer you.

**MOTION TO VACATE**

Rep. Andrew Christie moved that the House vacate the reference of **SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council, to the Committee on Executive Departments and Administration.

Motion adopted.

The Speaker referred **SB 324** to the Committee on Resources, Recreation and Development.

**MOTION TO VACATE**

Rep. Rowe moved that the House vacate the reference of **SB 506**, clarifying who may adopt, to the Committee on Judiciary.

Motion adopted.

The Speaker referred **SB 506** to the Committee on Children and Family Law.

**MOTION TO VACATE**

Rep. Tholl moved that the House vacate the reference of **SB 539**, relative to access to records under the child protection act, to the Committee on Criminal Justice and Public Safety.

Motion adopted.

The Speaker referred **SB 539** to the Committee on Children and Family Law.

**SENATE MESSAGES****REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 499**, permitting New Hampshire farmers to sell farm-raised bison directly to the public. (Amendment printed SJ 3-17-16)

Rep. Haefner moved that the House concur and spoke in favor.

Motion adopted.

**HB 216-FN**, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board. (Amendment printed SJ 1-14-16)

Reps. Andrew Christie and Kurk moved that the House concur.

Rep. Andrew Christie spoke in favor.

Motion adopted.

**HB 377**, establishing a state geographic information system committee. (Amendment printed SJ 3-24-16)

Rep. Andrew Christie moved that the House concur and spoke in favor.

Motion adopted.

**HB 1397**, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen. (Amendment printed SJ 3-31-16)

Rep. Chandler moved that the House concur and spoke in favor.

Motion adopted.

**HB 351**, exempting historically significant vehicles from emission control requirements. (Amendment printed SJ 3-24-16)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

**HB 353**, relative to the governance of condominium unit owners' associations. (Amendment printed SJ 1-14-16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Harold French, Biggie and Williams.

**HB 427**, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA1. (Amendment printed SJ 2-4-16)

Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Sytek, Andrew Christie, Beaudoin and Gagnon.

**HB 285**, relative to discussion with legal counsel under the right-to-know law. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

**HB 606-FN-L**, relative to costs for public records filed electronically. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

**HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Amendment printed SJ 1-21-16)

Rep. Hinch moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hinch, Packard, Russell Ober and Weber.

### CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**SB 498-FN**, relative to penalties for possession of certain controlled drugs, removed by Rep. Sylvia.

**SB 460**, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships, removed by Rep. Ladd.

**SB 441-FN**, relative to discounts and admission without charge at state parks, removed by Rep. Horrigan. Consent Calendar adopted.

**SB 25-FN**, relative to the administration of epinephrine. **OUGHT TO PASS.**

Rep. Victoria Sullivan for Education. This bill establishes procedure for the administration of epinephrine, which is a life-saving medication that is administered at the onset of anaphylaxis, by certain authorized entities. This bill also provides immunity to school personnel who administer the epinephrine. Vote 17-0.

**SB 312**, relative to epinephrine administration in independent schools. **OUGHT TO PASS.**

Rep. John Balcom for Education. This bill extends the placement of auto-injectable epinephrine to independent and postsecondary educational institutions. Vote 17-0.

**SB 314**, relative to the membership of the higher education commission. **OUGHT TO PASS.**

Rep. Robert Elliott for Education. This bill simply changes the name already in law as the NH Council for Professional Education to the American Council for Professional Education and Training. Vote 16-0.

**SB 316**, relative to placement decisions by a child's individualized education program team. **OUGHT TO PASS.**

Rep. James Grenier for Education. This bill addresses potential concerns arising from the passage of HB 610 (Chapter 125, Laws of 2015, relative to a school board vote on the reassignment of a pupil) passed last year. That bill amended RSA 193:3, III to require school boards of both receiving and sending school districts to approve placement for a change of school assignment. Placement of a child with a disability is the responsibility of the IEP team and not the sending school board. This bill clarifies this difference. Vote 17-0.

**SB 322**, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. **OUGHT TO PASS.**

Rep. Ralph Boehm for Education. This bill allows school districts, at their discretion, to have bronchodilators, spacers or nebulizers on hand in the schools. These will most likely be provided by the drug companies, as are EPI-Pens. Students currently have the ability to carry their own and/or leave them in the nurse's office. This bill protects students with asthma who forget their inhaler, or fail to provide one to the school nurse for protection in an emergency situation. Vote 17-0.

**SB 328-L**, relative to school districts and school administrative units exercising joint powers with other public agencies. **OUGHT TO PASS.**

Rep. Barbara Shaw for Education. This bill allows for the possibility of cost saving efforts through a shared business administrator among school districts in transportation, maintenance, purchasing and many other areas. Efficiency and best use of taxpayers money is always a plus. Passing this legislation will give municipalities and schools options which will allow savings in financial administration of the towns funds. Vote 19-0.

**SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. **OUGHT TO PASS.**

Rep. John Balcom for Education. This timely bill establishes a committee to address problems and potential solutions with current threat notification systems linking schools under threat to law enforcement using dependable communications. The committee unanimously supported the bill. Vote 19-0.

**SB 371**, relative to school lunch meal payment policies. **OUGHT TO PASS.**

Rep. Mary Gile for Education. This bill proposes standards that hold parents responsible for payment of their child's school lunch, not children. Some schools have introduced practices that force students whose parents are delinquent to go to the principal's office, or stand in a different line for a lunch of lesser appeal and quality, or limit the participation in school activities e.g. field trips, etc. Such practices can demean, embarrass and humiliate students and should not be allowed. Although this bill is not a mandate; it does however, set forth criteria for districts to follow in the implementation of school lunch payment policies. Vote 19-0.

**SB 373**, relative to the information technology infrastructure in public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Christopher Adams for Education. This bill establishes a committee to study the feasibility of using school building aid funds to upgrade the information technology infrastructure in the public schools for the purpose of enabling the establishment of virtual classrooms. Current funding for school building aid is frozen in the current budgeting cycle and if funding begins in future budgeting cycles there are numerous districts with multiple school buildings greatly in need of support to address safety and physical plant issues. While the committee fully recognizes the importance of having adequate broadband access for educational purposes, this bill is not the vehicle needed to satisfy this issue. Vote 19-0.

**SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. **OUGHT TO PASS.**

Rep. Barbara Shaw for Education. This bill requires background checks to conform with federal law as required by CCDBG Act (Child Care and Development Block Grant). This new process is more comprehensive and provides additional safety measures for children within these institutions. A government card will be issued as verification of background check completion. In order to receive the CCDBG funds, states must comply by September 30, 2017. Vote 19-0.

Referred to the Committee on Criminal Justice and Public Safety.

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill allows any retired member of the NH Retirement System (NHRS) to terminate the election of a single non-spouse beneficiary past the current 120-day statutory limit. If this option is exercised, the retiree's pension benefit would change to the amount that would have been paid if no beneficiary had been selected. The amendment allows a retiree to terminate the election of a former spouse as a beneficiary based on the terms of a final divorce decree in which the former spouse renounces any claim to the benefit. Vote 17-1.

**Amendment (1109h)**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Retirement System; Optional Allowances; Divorce. Amend RSA 100-A:13, II(a)(1) to read as follows:

(1) Terminate such elected option upon the issuance of a divorce decree and subsequent remarriage of the former spouse, *or in accordance with the terms of the final divorce decree or final settlement agreement which provides that the former spouse shall renounce any claim to a retirement allowance under RSA 100-A.* Upon termination, the allowance received under the elected option shall be converted to the retirement allowance that would have been payable in the absence of such election. Any supplemental allowance, or COLAs, granted to the retiree and effective before the date of termination of the option shall continue in effect and shall not be adjusted as a result of the termination. Notice of such termination shall be given by the retiree on a form designated by the board. Payment of the converted allowance shall commence on the first day of the month following receipt of termination by the board. For any retiree whose divorce and the subsequent remarriage of the former spouse occurred on or before July 1, 1990, the notice shall be given to the board on or before October 1, 1990. Said termination action shall become effective on the first day of the month following receipt of such notice by the board. If the retiree dies after giving valid notice of such termination but before the effective date, the option shall terminate as of the date of the retiree's death.

## AMENDED ANALYSIS

This bill allows a retired member of the retirement system to terminate the designation of a single, non-spouse beneficiary to receive an optional allowance. The bill also allows for the termination of an optional allowance in accordance with a final divorce decree or final settlement agreement.

**SB 237-FN**, establishing a reporting requirement for gubernatorial inauguration contributions. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill requires the governor-elect to appoint an inaugural treasurer and report expenditures and contributions related to the inauguration. As the prime sponsor of this bill explained, the core purpose of this legislation is to ensure transparency and permit public access to information about these contributions. Vote 13-0.

**SB 313**, relative to requirements for licensed estheticians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. This bill, as amended, will allow required training credit hours accumulated in order to be licensed as a massage therapist to count toward training credit hours required for an esthetician's license. Coursework may only be applied to the requirements for an esthetician's license as long as the content of the courses has been determined to be equivalent by the Board of Barbering, Cosmetology, and Esthetics. Vote 13-0.

**Amendment (1096h)**

Amend RSA 313-A:13 as inserted by section 1 of the bill by replacing it with the following:

313-A:13 Qualifications; Estheticians. To be issued an esthetics license by the board, an applicant shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e), have completed a course of at least 600 hours of training in a school approved by the board and have passed an examination conducted by the board. An apprenticeship approved by the board may substitute for the required training. Estheticians who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989, and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training requirements of this section shall not be required to take the examination provided for in this section to be eligible for licensure under this chapter. Credit towards the hours requirement for esthetician training may be given to a licensed cosmetologist or barber for equivalent training in the cosmetology or barber program in a school approved by the board upon certification of the training by the school. *Credit towards the hours requirement for esthetician training may be given to a licensed massage therapist for massage therapy training deemed equivalent by the board.* Cosmetologists licensed by the board may obtain the training hours in subjects required by the board in increments at separate schools but must present certifications to the board for all required hours and curriculum subjects.

## AMENDED ANALYSIS

This bill allows a licensed massage therapist to satisfy training requirements for licensure as an esthetician with training deemed equivalent by the board of barbering, cosmetology, and esthetics.

**SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill adds the definitions of "adult child," "dependent child," and "stepchild" for the purposes of determining survivor benefits for families of police officers and firefighters killed in the line of duty. The committee heard testimony of a recent situation involving two daughters of a police officer who died in the line of duty. One daughter was under the age of 18 and the other was over the age of 18. Both, however, were still dependent upon their father's financial assistance. Because the law relative to survivor benefits referenced only dependent children under the age of 18, only one of his children was eligible to receive these benefits. The committee felt that this was clearly not the intent of the law. Vote 17-1.

**Amendment (1210h)**

Amend the bill by replacing section 1 with the following:

1 Survivor Benefits. Amend RSA 21-I:29-a, I to read as follows:

I. In this section:

(a) *"Adult child" means a child, whether by blood or adoption, of the police officer or firefighter, age 18 or older at the time of death of such police officer or firefighter and who does not meet the definition of a dependent child.*



**(b) “Dependent child” means a child, whether by blood or adoption, or stepchild of the police officer or firefighter who:**

**(1) Is under the age of 25 and was dependent on the earnings of the police officer or firefighter at the time of death. For the purposes of this subparagraph, a child is not considered dependent if the child provides more than half of his or her own support, is married, or is legally adopted by another; or**

**(2) Is any age and is physically or mentally incapacitated and was dependent on the earnings of the police officer or firefighter at the time of death.**

**(c) “Family” means the surviving spouse of the police officer or firefighter who was wholly or partially dependent, in fact, upon the earnings of the police officer or firefighter; or, if there is no surviving spouse, the surviving dependent child or dependent children, of such police officer or firefighter or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such police officer or firefighter. ~~[A surviving dependent child shall include a dependent step-child whose expenses of daily living were substantially paid for by the decedent at the time of the death.]~~**

**[(b)] (d) “Firefighter” means any firefighter, including auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters who are employed by a city, town, village district, or precinct within the state of New Hampshire, any firefighter employed by the state of New Hampshire, or any firefighter who is a volunteer for or employed by a non-profit corporation which is the primary provider of fire protection for all or part of a New Hampshire municipality.**

**[(c)] (e) “Killed in the line of duty” means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. “Incident” shall include any death that is determined to be occupationally related by the worker’s compensation insurance carrier, a self-insured worker’s compensation plan, or by the labor commissioner for workers’ compensation purposes pursuant to RSA 281-A.**

**[(d)] (f) “Police officer” means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are employed by a city, town, village district, county, or precinct within the state of New Hampshire, police officers employed by the university system of New Hampshire, and any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.**

**(g) “Stepchild” means an individual who is the legally adoptive or biological first generation offspring of the police officer’s or firefighter’s current, deceased, or former spouse conceived before the marriage of the police officer or firefighter and the spouse.**

Referred to the Committee on Finance.

**SB 332**, relative to state procurement of goods and services. **OUGHT TO PASS.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill does four separate things: first, the bill increases the spending that can be done via a debit card or field purchase order from \$500 to \$1,000. This is in keeping with the costs for a project where a debit card or field purchase order would be used. The administrative costs for some of these low dollar purchase orders add up quickly. Secondly, the bill establishes an Advisory Committee on State Purchases. This is an ongoing committee looking for ways to improve the efficiency of government. The committee is required to issue a report yearly with their findings. Thirdly, the bill updates the ethics section on bidding and disqualifies someone who violates the statutes from bidding on future proposals. Lastly, the bill keeps bid packages confidential until the bid is awarded either via the Governor and Council or the agency/department. This way, competitors cannot obtain a copy of their competitor’s proposal and seek to undercut them on the bid without doing the work of creating a bid package. Vote 13-0.

**SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Trustees of the retirement system to designate a presiding officer in an appeal of an initial determination relative to a member’s qualification for ordinary or accidental disability benefits. The presiding

officer may not be the same person who made the initial determination. Currently, if a member is deemed not eligible for disability benefits, the hearing officer who makes that determination is the same individual who hears an appeal, if one is made. While there was no evidence presented that this process was materially unfavorable to applicants of disability benefits, the committee agreed with the sponsors that on its face the process had the potential to be unfair to the applicant. Vote 17-0.

**SB 397**, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This is a pure housekeeping bill brought to add two members to the Commission on Post-Traumatic Stress Disorder and Traumatic Brain Injury. It also updates the name of one of the organizations represented on the commission from the NH Deployment Cycle Support Program to the Care Coordination Program of NH. Vote 13-0.

**SB 398**, relative to renewal of licenses issued by the board of funeral directors and embalmers. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill changes the fiscal year of the Board of Embalmers and Funeral Directors from a calendar year basis to align it with the NH state government fiscal year that ends in June. It also converts the licenses issued by the board from one year to two years. There is no increase in the cost to licensees on an annualized basis. Thus, this is essentially a housekeeping bill. Vote 13-0.

**SB 400**, relative to executive branch ethics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Christie for Executive Departments and Administration. This bill makes several modifications to the Executive Branch Code of Ethics. It clarifies the definition of executive branch official, modifies the restrictions on appointees to the Executive Branch Ethics Committee by permitting them to hold non-partisan elected office, and adds a provision permitting any person to request an interpretive ruling on the applicability of laws under the jurisdiction of the committee. Vote 16-0.

#### **Amendment (1193h)**

Amend the bill by replacing section 8 with the following:

8 Executive Branch Ethics Committee; Jurisdiction. Amend RSA 21-G:29, I and II to read as follows:

I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials [~~who are not classified employees~~].

II. The jurisdiction of the committee shall consist of matters arising under the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to current or former executive branch officials [~~who are not classified employees~~], provided that the committee may only consider a complaint against a former executive branch official if the complaint is filed no later than 180 days after the day the official resigned, retired, or otherwise left his or her position.

Amend the bill by replacing section 10 with the following:

10 Duties; Ethics Committee. Amend RSA 21-G:30, I to read as follows:

I. The committee shall be authorized to:

(a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials. Such guidelines shall be consistent with statute.

(b) Issue interpretative rulings explaining and clarifying any law, guideline, *or* rule[~~or regulation~~] within the jurisdiction of the committee.

(c) Render [an] advisory [opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the

~~person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be nonpublic. A redacted version of the advisory opinion shall be public]~~ **opinions in accordance with RSA 21-G:31-a.**

(d) Receive sworn complaints, investigate allegations of violations of this subdivision [~~or guidelines adopted thereunder~~] by executive branch officials and make appropriate findings of fact and conclusions with respect to such conduct.

(e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated. Amend the bill by replacing section 12 with the following:

12 New Sections; Advisory Opinions; Interpretive Rulings. Amend RSA 21-G by inserting after section 31 the following new sections:

**21-G:31-a Advisory Opinions; Procedure.**

I. Any executive branch official may request, in writing, an advisory opinion regarding the application of any law, guideline, or rule within the committee's jurisdiction to a specific factual situation pertinent to the requester's conduct or proposed conduct. Notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work in response to a request for an advisory opinion, except for the opinion itself, shall be confidential. The advisory opinion shall be made public but the name of the person seeking the opinion and any information in the opinion that would identify such person shall be nonpublic.

II. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion.

21-G:31-b Interpretive Rulings; Procedure. The committee may initiate or any person may request an interpretive ruling explaining or clarifying a law, guideline, or rule of general applicability within the committee's jurisdiction. If the committee determines that a requested interpretive ruling will be helpful to those individuals under the committee's jurisdiction, it shall take up the request in public, receive testimony and other information that it deems helpful on the issue, and render a public ruling.

**SB 406-FN**, relative to classification of certain state employee positions. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is housekeeping legislation to implement and codify certain previous decisions of the Joint Committee on Employee Classification (JCEC), as required by statute and requested by the JCEC. This is the final step in the process for designating or reassigning salary grade levels for unclassified positions. Vote 17-0. Referred to the Committee on Finance.

**SB 467-FN**, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill makes housekeeping changes to laws governing private investigators, security guards and bail recovery agents. In order to simplify the regulatory structure, it puts the regulation of bail recovery agents solely under the jurisdiction of the Department of Safety. It adds a new member to the advisory board to make it more balanced and representative of the regulated professions. The bill also streamlines and updates continuing education and firearm qualification requirements. The amendment extends the term of the license for bail recovery agents from one year to two years. Vote 15-1.

**Amendment (1152h)**

Amend RSA 597:7-b, II as inserted by section 12 of the bill by replacing it with the following:

II. Any person who operates as a **bail** recovery agent in this state, excluding licensed private detectives, shall be trained and certified through a program approved by the Professional Bail Agents of the United States **or other training program approved by the commissioner of safety** and shall **[register annually] be licensed** with the **[secretary of state] department of safety under RSA 106-F. Licensees shall also meet proficiency requirements under RSA 106-F:8-a.** The **[secretary of state] department of safety** shall issue to each **[registered] licensed bail** recovery agent proof of such **[registration] licensure**. **[Effective July 1, 2000;]** Each bail **[agency] recovery agent** operating in this state shall **[annually]** provide to the **[secretary of state] department of safety** proof of liability

insurance coverage in the amount of \$300,000 for bail recovery activities [~~of the agency's bail agents and bail recovery agents~~]. This proof of insurance coverage shall be provided before the [agency's] bail [agents are] *recovery agent* is licensed or relicensed[ ~~and before the agency's bail recovery agents are registered or reregistered~~] *by the department of safety*. [Bail recovery agents acting as independent contractors shall provide proof of liability insurance coverage in the amount of \$300,000 to the secretary of state before registration or reregistration.] *Licenses shall be valid for 2 years after the date of issuance and shall be renewed every 2 years thereafter, upon application and payment of the fee and submission of continuing proof of the required liability insurance coverage. The application for renewal shall be submitted at least 15 days before the expiration of the previously granted license.* Any person who operates as a *bail recovery agent* in this state without meeting [such certification, insurance, and registration] *the licensure and relicensure* requirements shall be guilty of a class [A] *B misdemeanor for the first offense and a class A misdemeanor for a second offense within a 7-year period.*

**SB 257-FN**, relative to membership in the judicial retirement plan of judges appointed at age 63 or older. **OUGHT TO PASS.**

Rep. Kurt Wuelper for Judiciary. This bill allows judges who could never become eligible for retirement to opt out of the judicial retirement system. The committee thought it good to offer them this option. Vote 16-0.

**SB 318**, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. **OUGHT TO PASS.**

Rep. Judith Spang for Resources, Recreation and Development. This lot line adjustment was examined and brought to us by the Department of Resources and Economic Development. The Bradford Pines area was established as a state Natural Area which means it is to be retained by the state for future generations. However, an abutter discovered that a previous owner had intruded upon the Natural Area with a corner of a building, driveway and utilities. The landowner has agreed to swap the encroaching land for an equal amount of more valuable land along the Warner River, through a process set forth in RSA 4:40. Vote 15-0.

**SB 378**, relative to the availability of net metering tariffs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill will prevent an entity from reserving an undue portion of the new net metering capacity created by HB 1116, as already passed by the House, prior to the Public Utilities Commission (PUC) making a decision on a new net metering tariff and possible cap. It amends RSA 362-A:9 to limit the amount of reserved net metering interconnections that a single entity can hold to 20 percent of the total net metering utility-specific allocation. It requires the PUC to review group net metering agreements, requires each electric utility to make certain information on net metering allocation and capacity available on its website, and requires all persons involved in a net metering interconnection queue application for a project greater than 100 kilowatts to sign a certificate of compliance relative to the 20 percent limit. It contains a non-specific sunset provision that goes into effect upon a final decision by the PUC that sets a tariff and eliminates any cap on net metering. Vote 19-0.

#### **Amendment (1199h)**

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph I the following new paragraph:

I-a. No person, owner, developer, installer of an eligible customer-generator facility, business organization, or any subsidiary thereof, shall reserve capacity space in the net metering interconnection queue more than 20 percent of the total net metering utility-specific allocation pursuant to this section, and the creation of multiple business organizations, including a person, as defined in RSA 366:1, I, by the same shall not defeat this requirement. On a weekly basis each utility shall make public on its website its total net metering allocation, its reserved net metering capacity, and its installed and operating net metering capacity. For project applications of greater than 100 kilowatts, each utility net metering interconnection queue application shall include a certification of compliance with the 20 percent requirement, all persons involved in such an application shall sign the certification of compliance, and no application shall be processed where one or more persons involved in the application did not sign the certification of compliance.

3 Repeal. RSA 362-A:9, I-a, relative to net energy metering, is repealed.

4 Applicability. Section 3 of this act shall take effect upon a final decision of the commission which is not subject to appeal that sets a tariff and eliminates any cap on net metering as certified to the director of legislative services and the secretary of state.

5 Effective Date.

I. Section 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Requires the public utilities commission to review net metering agreements between group hosts and group members.

II. Requires an electric utility to make certain information on net metering allocation and capacity available on its website on a bi-weekly basis.

III. Requires all persons involved in a net metering interconnection queue application to sign a certificate of compliance.

### MOTION TO SPECIAL ORDER

Rep. Cloutier moved that **SB 152**, relative to criminal history records checks for school employees and designated school volunteers, be made a Special Order as the first order of business on the Regular Calendar.

Rep. Cloutier spoke in favor.

Motion adopted.

### SPECIAL ORDER

**SB 152**, relative to criminal history records checks for school employees and designated school volunteers. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John Balcom for the Majority of Education. This bill provides that information relating to any crime committed by a school employee or a designated school volunteer may be used in making a hiring decision. The majority of the committee believed that this legislation is similar to a bill passed by the House in the 2015 session; and for the safety of our students, we need to pass this senate bill. The bill's intent is to prevent known predators or criminals from accessing our schools by allowing the release of information regarding convictions of applicants for any felonies and misdemeanors. Vote 17-2.

Rep. Christopher Adams for the Minority of Education. This bill addresses a critical issue in the hiring of school district staff and ensuring these individuals are properly vetted and have no criminal history that may indicate a danger to students and staff that they will come into contact with on a daily basis. Last year, the House passed a similar bill that would have enacted these protections by widening the scope of reported incidents from felony convictions to both felony and misdemeanor convictions being reported. Unfortunately, this bill narrows the dispersion of the information reported and the scope of decision making process to only the superintendent in a district thus causing potential overwork and an avenue for personal bias in the decision making process. The bill also muddies the water in the application of this law to non-public schools that may not have a superintendent or chief executive officer as defined in the legislation even though they may wish to perform these criminal history checks. If they choose to perform these checks they must comply with the legislation despite not having the prescribed official. They may have a qualified staff professional or agency that is bonded and insured to perform such evaluations do this work for them. This legislation would prohibit that. Last, the legislation broadens discretionary application of this law beyond being convicted of a felony or misdemeanor to any crimes that may potentially have been of a civil or commercial nature, such as being convicted of breach of peace for protesting at a political event or in opposition to building a pipeline through your property.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Adams offered minority committee amendment (1105h).

### Minority Amendment (1105h)

Amend RSA 189:13-a, I-V as inserted by section 1 of the bill by replacing it with the following:

I.(a) The employing school administrative unit, school district, or chartered public school shall complete a criminal history records check on every selected applicant for employment in any position in the school administrative unit, school district, or chartered public school prior to a final offer of

employment. A public academy approved by the New Hampshire state board of education shall submit a criminal history records check on applicants for employment pursuant to this section. ~~[A school administrative unit, school district, chartered public school, or public academy]~~ ***The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** may extend a conditional offer of employment to a selected applicant, with a final offer of employment subject to a successfully completed criminal history records check. No selected applicant may be extended a final offer of employment unless the school administrative unit, school district, chartered public school, or public academy has completed a criminal history records check. The school administrative unit, school district, chartered public school, or public academy shall not be held liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer services from a designated volunteer, with a criminal history was in any way negligent or deficient, if the school administrative unit, school district, chartered public school, or public academy fulfilled the requirements of this section.

(b) A nonpublic school may elect to require a criminal history records check on selected applicants for employment or selected volunteers. A nonpublic school that elects to conduct a criminal history records check shall comply with the procedures and requirements set forth in this section. ***With respect to a nonpublic school, as used in this section, "superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee" means the person or persons designated by the nonpublic school to fulfill the duties set forth in this section.***

II. The selected applicant for employment or designated volunteer with a school administrative unit, school district, chartered public school, or public academy shall submit to the employer a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of information regarding the presence or absence of any record of convictions of the applicant of felonies ***or misdemeanors***, or of charges pending disposition for or convictions of the applicant of the crimes listed in paragraph V. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the school administrative unit, school district, chartered public school, or public academy. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school district, chartered public school, or public academy may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant has lived during the past 5 years.

III. The school administrative unit, school district, chartered public school, or public academy shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. The state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, chartered public school, or public academy, and shall report the presence or absence of any such crime to the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee.*** ~~[Under no circumstances shall the criminal records be released to the school administrative unit, school district, chartered public school, or public academy.]~~ The school administrative unit, school district, chartered public school, or public academy ***The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall destroy the information received immediately following [its] review of the information. If the criminal history records information indicates that the applicant has been convicted of ~~[a felony]~~ ***any crime*** or has been charged pending disposition for or convicted of a crime listed in paragraph V, the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or***

*public academy, or designee*, shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The ~~[school administrative unit, school district, chartered public school, or public academy]~~ *superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee*, shall destroy any criminal history record information that indicates a criminal record within 30 days of receiving such information.

IV. The school administrative unit, school district, chartered public school, or public academy may require the selected applicant for employment or designated volunteer to pay the actual costs of the criminal history records check.

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. ~~[By decision of the appropriate governing body, a school administrative unit, school district, chartered public school, or public academy]~~ *The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee*, may deny a selected applicant a final offer of employment if such person has been convicted of any ~~[felony]~~ *crime* in addition to those listed above. The governing body ~~of a school district, chartered public school, or public academy~~ may adopt a policy stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired. Rep. Adams spoke in favor.

Rep. Ladd spoke against.

Minority committee amendment failed.

Majority committee report adopted and referred to the Committee on Criminal Justice and Public Safety.

## REGULAR CALENDAR CONT'D

**SB 464-FN-A**, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill establishes the statewide drug offender grant program. At the hearing it was determined that the bill title referenced revenue issues. Upon thorough review of the bill the committee concluded that there were no references to taxes or fees required to accomplish the goals of the program. The bill requires expenditure approval in order to implement the drug offender grant program. The vote of the committee is a procedural vote only. The vote of the committee should not be construed as a policy decision because the policy addressed by the bill is not within the jurisdiction of the House Ways and Means Committee. Vote 17-0. Committee report adopted and referred to the Committee on Finance.

**SB 339-FN**, relative to required DNA analysis for certain offenses. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. Current law requires that the collection of a DNA sample (a cheek swab) be taken and analyzed upon a person's intake or prior to the release of a person from the state prison. The collection and analysis are allowed under current statute for any person convicted of any sexual offense, or any offense against a child, or any other felony offense prohibited by NH laws, or ". . . another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason." This bill adds the language ". . . or any person declared not guilty by reason of insanity or civilly committed to the department of corrections." This addition closes a loophole in the statute and would allow the Department of Corrections to collect and analyze a DNA sample if a person committed a felony offense but was found not guilty by reason of insanity. DNA is only collected at the state prison, not at any county jail or other lockup facility. Currently, there are less than 20 persons incarcerated who would fall into this category, as well as a much smaller number of persons who have been civilly committed to the state prison because they are a danger to either themselves or others. It costs about \$100 for collecting and analyzing each DNA swab, but there is

a federally funded program that pays for this so there is no cost to the state. Further, all fifty states have a variation of this law, with some states like California collecting DNA samples upon arrest rather than upon conviction. Both the Department of Corrections and the Department of Safety supported this bill. Tim Pifer, the NH State Police Forensic Laboratory Director, testified that given the substantial recidivism rate of persons who are found not guilty by reason of insanity for serious crimes, this bill would serve both as a deterrent and a useful investigative tool for unsolved crimes. NH Department of Corrections Commissioner William Wrenn also appeared before the committee to voice strong support for this bill. The committee debated the balance between public safety and individual rights to privacy, but the majority of the committee felt this to be a minimal intrusion to an individual with the greater good to society to be of stronger benefit. Over the years, with the perfecting of DNA analysis, many cold cases have been solved and many wrongly convicted persons have been exonerated. Vote 10-3.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority recognizes that this bill would impact some people who have never engaged in, committed, or been charged with a crime, but who have severe mental illnesses that resulted in them being involuntarily committed to state institutions. Under RSA 135-C, people with mental illnesses are involuntarily committed to the state hospital, and under RSA 622:45 some of those acute patients, those whose illness pose a threat to themselves or others, are transferred to and civilly committed to the Department of Corrections Secure Psychiatric Unit. Mental illness is a medical condition, not a crime. The minority believes that, notwithstanding the current practice of the state comingling people civilly committed with those who have been convicted of crimes in the Secure Psychiatric Unit, the legislature should not require those who have never been accused of or committed a crime to submit to have a DNA sample be taken for DNA analysis to determine identification characteristics specific to that person. We should treat all patients the same when it comes to DNA testing for identification characteristics, and singling out those with mental illness for testing violates the concept of health care parity and equal treatment under the law.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Cushing spoke against.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

**SB 389-FN**, relative to the penalty for possession of multiple firearms. **INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill is a very narrow piece of legislation to amend the armed career criminals statute (RSA 159:3-a). If this change was to be enacted, it would negatively affect the prosecutor's discretion in prosecuting armed career criminals. There was no testimony other than a co-sponsor. The NH Supreme Court has recently upheld the constitutionality of this statute. The majority of the committee, after much deliberation, came to the conclusion that the prosecutor is the best person to decide how to proceed in the prosecution of individual cases of armed career criminals. This bill is looking to solve a problem which does not exist in current law. Vote 8-3.

Committee report adopted.

**SB 320**, relative to non-academic surveys administered by a public school to its students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the Majority of Education. This bill changes current law to require parents, or guardians to give permission (opt-in) on all non-academic surveys or questionnaires except for the Centers of Disease Control and Protection (CDC) risk survey which requires an opt-out by parents or guardians. The amendment fixes language and makes it clear that only the CDC survey is opt-out. The bill also makes it clear that students under 18 cannot give permission for taking the survey. Vote 11-9.

Rep. June Frazer for the Minority of Education. The minority on this bill feel strongly that this matter is an issue of local control and a policy would more appropriately be left to local school districts. The bill also creates confusion in making one exception to the rule opt-in and another opt-out. Finally, it is feared that such a law might interfere with important research.



**Majority Amendment (1143h)**

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. *The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention.* The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. ~~[The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.]~~ In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horrigan offered floor amendment (1240h).

**Floor Amendment (1240h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Amend the bill by replacing all after the enacting clause with the following:

1 State Board of Education; Duties. Amend RSA 186:11, IX-b, IX-c, and IX-d to read as follows:

IX-b. Health and Sex Education. Require school districts *and chartered public schools* to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

IX-c. Require school districts *and chartered public schools* to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee, *or designated chartered public school official* in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district *or the chartered public school* and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

IX-d. Require school districts *and chartered public schools* to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts *and chartered public schools* to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The school district *or chartered public school* shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

2 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill adds references to include chartered public schools in the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Rep. Horrigan spoke in favor and yielded to questions.

Rep. Ladd spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 52 NAYS 274****YEAS - 52****CARROLL**

Butler, Edward

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Robertson, Timothy

Ames, Richard  
Eaton, Daniel  
Shepardson, Marjorie

Tilton, Benjamin  
Ley, Douglas

Berch, Paul  
Pearson, William

**COOS**

Froburg, Alethea

**GRAFTON**

Abel, Richard  
White, Andrew

Cooney, Mary

Maes, Kevin

Townsend, Charles

**HILLSBOROUGH**

Roberts, Carol  
Leishman, Peter  
Brown, Pamela

Edwards, Elizabeth  
O'Brien, Michael  
Shattuck, Gilman

Freitas, Mary  
Mangipudi, Latha  
Vann, Ivy

Herbert, Christopher  
McNamara, Richard  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Hirsch, Geoffrey  
Rogers, Katherine

Bartlett, Christy  
Frazer, June

Bradley, Paula  
Karrick, David

Deloge, Helen  
Luneau, David

**ROCKINGHAM**

Cali-Pitts, Jacqueline  
Gordon, Pamela

Cushing, Robert  
Prudhomme-O'Brien, Katherine

Edgar, Michael  
Sherman, Thomas

Lovejoy, Patricia

**STRAFFORD**

Cilley, Jacalyn  
Stevens, Audrey

DiSesa, Len

Horrigan, Timothy

Spang, Judith

**SULLIVAN**

Converse, Larry

Oxenham, Lee

**NAYS - 274****BELKNAP**

Aldrich, Glen  
Fisher, Robert  
Hurt, George  
Vadney, Herbert

Dumais, Russell  
Flanders, Donald  
Spanos, Peter  
Varney, Peter

Tilton, Franklin  
Gallagher, Brian  
Sylvia, Michael

Fields, Dennis  
Howard, Raymond  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Nelson, Bill  
Umberger, Karen

Buco, Thomas  
Crawford, Karel  
Parker, Harold  
Wright, Ted

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Ticehurst, Susan

**CHESHIRE**

Chase, Cynthia  
Mann, John  
Sterling, Franklin

Emerson, Susan  
McConnell, James  
Tatro, Bruce

Hunt, John  
Parkhurst, Henry  
Weber, Lucy

Roberts, Kris  
Sad, Tara

**COOS**

Fothergill, John  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Rideout, Leon

Theberge, Robert

**GRAFTON**

Almy, Susan  
Hennessey, Erin  
Higgins, Patricia  
Hennessey, Martha

Bailey, Brad  
Johnson, Eric  
Hull, Robert  
Nordgren, Sharon

Bennett, Travis  
Ford, Susan  
Ingbreton, Paul  
Piper, Wendy

Darrow, Stephen  
Gionet, Edmond  
Ladd, Rick  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Bouldin, Amanda  
Coffey, James  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Goley, Jeffrey  
Haefner, Robert  
Hogan, Edith  
Rice, Kimberly  
Lachance, Joseph  
Martel, Andre  
Murotake, David  
Long, Patrick  
Peterson, Ken  
Christie, Rick  
Rouillard, Claire  
Scotsas, Lisa  
Souza, Kathleen  
Twombly, Timothy  
Wolf, Terry

Griffin, Barbara  
Biggie, Barbara  
Burt, John  
Cohen, Alan  
DiSilvestro, Linda  
Ferreira, Elizabeth  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Infantine, William  
Kurk, Neal  
LeBrun, Donald  
McClarren, Donald  
Murphy, Keith  
McCarthy, Peggy  
Pierce, David  
Ober, Russell  
Rowe, Robert  
Seidel, Carl  
Straight, Phillip  
Ulery, Jordan  
Woodbury, David

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Cornell, Patricia  
Eastman, Eric  
Flanagan, Jack  
Gargas, Carolyn  
Gould, Linda  
Hansen, Peter  
Jack, Martin  
Christiansen, Lars  
Manley, Jonathan  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Porter, Marjorie  
Walsh, Robert  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene  
Sullivan, Victoria  
Zaricki, Nick

Balcom, John  
Booras, Efsthathia  
Christensen, Chris  
Sullivan, Daniel  
Edelblut, Frank  
Fromuth, Bart  
Gidge, Kenneth  
Goulette, William  
Hinch, Richard  
Jeudy, Jean  
Ober, Lynne  
Marston, Dick  
Moore, Josh  
Ohm, Bill  
Pellegrino, Anthony  
Proulx, Mark  
Rosenwald, Cindy  
Schleien, Eric  
Snow, Kendall  
Smith, Timothy  
O'Brien, William

**MERRIMACK**

Turcotte, Alan  
McGuire, Dan  
French, Harold  
Hoell, J.R.  
Kotowski, Frank  
Martin, John  
Patten, Dick  
Shurtleff, Stephen

French, Barbara  
Doherty, David  
Henle, Paul  
Horn, Werner  
Kuch, Bill  
Moffett, Howard  
Ratzki, Mario  
Walsh, Thomas

Brewster, Michael  
Ebel, Karen  
Hess, David  
Kenison, Linda  
MacKay, James  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

Carson, Clyde  
Gile, Mary  
Hill, Gregory  
Kidder, David  
Marple, Richard  
Parent, Jason  
Schuett, Dianne

**ROCKINGHAM**

Christie, Andrew  
Azarian, Gary  
Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Elliott, Robert  
Fesh, Robert

Abrami, Patrick  
Baldasaro, Alfred  
Borden, David  
Cook, Allen  
Devine, James  
Emerick, J. Tracy  
Francese, Paula

Abramson, Max  
Barnes, Arthur  
Bush, Carol  
Thomas, Douglas  
Doucette, Fred  
Rice, Frederick  
Gannon, William

Allen, Mary  
Bates, David  
Cahill, Michael  
Dean-Bailey, Yvonne  
Duarte, Joe  
Ferrante, Beverly  
Green, Dennis

Guthrie, Joseph  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
True, Chris  
Weyler, Kenneth

Hagan, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Manning, John  
McMahon, Charles  
Pantelakos, Laura  
Tilton, Rio  
Tucker, Pamela  
Woitkun, Steven

Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Simpson, Alexis  
Vose, Michael

Heffron, Frank  
Ward, Joanne  
Griffin, Mary  
McBeath, Rebecca  
Osborne, Jason  
Potucek, John  
Sytek, John  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Graham, Robert  
Kaczynski, Thomas  
Mullen, John  
Southworth, Thomas

Berube, Roger  
Cheney, Catherine  
Gray, James  
Kaen, Naida  
Schmidt, Peter  
Treleven, Susan

Bickford, David  
DeLemus, Susan  
Groen, Warren  
Turcotte, Leonard  
Pitre, Joseph  
Wall, Janet

Bixby, Peter  
Gardner, Janice  
Hannon, Joseph  
Leeman, Don  
Rollo, Deanna  
Wuelper, Kurt

### SULLIVAN

Schmidt, Andrew  
Grenier, James  
Smith, Steven

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Rollins, Skip

and floor amendment (1240h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Victoria Sullivan spoke in favor and yielded to questions. Majority committee report adopted and ordered to third reading.

### **SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill establishes the Board of Medical Imaging and Radiation Therapy for the licensure and regulation of magnetic resonance technologists, nuclear medicine technologists, radiation therapists, radiographers, radiologist assistants, and sonographers. The committee heard testimony about the potential dangers and risks to patient health that could result from the practice of inadequately trained operators. This, coupled with a likely increase in the number of independent radiology clinics, led members to support this bill in order to ensure that appropriate training and continuing education are completed and that disciplinary action can be taken for unprofessional or unethical conduct. Vote 16-2.

Rep. Hannon spoke against.

Rep. Sherman spoke in favor and yielded to questions.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 213 NAYS 113**

### **YEAS - 213**

### **BELKNAP**

Dumais, Russell

Tilton, Franklin

Fields, Dennis

Flanders, Donald

### **CARROLL**

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

### **CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Emerson, Susan  
Pearson, William  
Sterling, Franklin

Berch, Paul  
Ley, Douglas  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Mann, John  
Sad, Tara  
Weber, Lucy

**COOS**

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
White, Andrew

Bennett, Travis  
Ladd, Rick  
Piper, Wendy

Cooney, Mary  
Hennessey, Martha  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara  
Booras, Efsthathia  
Cohen, Alan  
Flanagan, Jack  
Gargas, Carolyn  
Guerette, C. Lee  
Hinch, Richard  
Christiansen, Lars  
Mangipudi, Latha  
Long, Patrick  
Pierce, David  
Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

Backus, Robert  
Byron, Frank  
Cornell, Patricia  
Freitas, Mary  
Gidge, Kenneth  
Haefner, Robert  
Infantine, William  
LeBrun, Donald  
Manley, Jonathan  
McCarthy, Peggy  
Porter, Marjorie  
Rouillard, Claire  
Straight, Phillip  
Williams, Kermit

Balcom, John  
Christensen, Chris  
Sullivan, Daniel  
Smith, Gregory  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Takesian, Charlene  
Wolf, Terry

Beaulieu, Jane  
Roberts, Carol  
DiSilvestro, Linda  
Gagne, Larry  
Gorman, Mary  
Herbert, Christopher  
Judy, Jean  
O'Brien, Michael  
Brown, Pamela  
Peterson, Ken  
Walsh, Robert  
Shattuck, Gilman  
Smith, Timothy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Martin, John  
Ratzki, Mario  
Shurtleff, Stephen

Alicea, Caroletta  
Carson, Clyde  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

French, Barbara  
Deloge, Helen  
Henle, Paul  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew  
Berrien, Skip  
Cardon, G. Thomas  
Doucette, Fred  
Fesh, Robert  
Harris, Jeffrey  
Ward, Joanne  
Manning, John  
McMahon, Charles  
Pantelakos, Laura  
Sherman, Thomas

Abrami, Patrick  
Borden, David  
Cushing, Robert  
Edgar, Michael  
Francese, Paula  
Heffron, Frank  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Simpson, Alexis

Azarian, Gary  
Cahill, Michael  
Thomas, Douglas  
Elliott, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
Gordon, Pamela  
Prudhomme-O'Brien, Katherine  
Sytek, John

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Devine, James  
Ferrante, Beverly  
Hagan, Joseph  
Introne, Robert  
Major, Norman  
McKinney, Betsy  
Packard, Sherman  
Tilton, Rio  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Burton, Wayne  
Gardner, Janice  
Kaen, Naida  
Spang, Judith

Berube, Roger  
Cheney, Catherine  
Gray, James  
Schmidt, Peter  
Stevens, Audrey

Bickford, David  
Cilley, Jacalyn  
Horriggan, Timothy  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
DiSesa, Len  
Ward, Kenneth  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Rollins, Skip

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

**NAYS - 113****BELKNAP**

Aldrich, Glen  
Hurt, George  
Vadney, Herbert

Fisher, Robert  
Spanos, Peter  
Varney, Peter

Gallagher, Brian  
Sylvia, Michael

Howard, Raymond  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Tilton, Benjamin

Hunt, John

Roberts, Kris

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbretson, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Edelblut, Frank  
Fomuth, Bart  
Hogan, Edith  
Martel, Andre  
Murphy, Keith  
Christie, Rick  
Scotsas, Lisa  
Twombly, Timothy  
Zaricki, Nick

Biggie, Barbara  
Coffey, James  
Edwards, Elizabeth  
Gould, Linda  
Rice, Kimberly  
McClarren, Donald  
Notter, Jeanine  
Ober, Russell  
Seidel, Carl  
Ulery, Jordan

Boehm, Ralph  
Danielson, David  
Estevez, Eric  
Goulette, William  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Victoria

Bouldin, Amanda  
Eastman, Eric  
Ferreira, Elizabeth  
Hansen, Peter  
Marston, Dick  
Murotake, David  
Palmer, Barry  
Schleien, Eric  
Souza, Kathleen  
O'Brien, William

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Parent, Jason

McGuire, Dan  
Horn, Werner

French, Harold  
Kuch, Bill

Hill, Gregory  
Marple, Richard

**ROCKINGHAM**

Abramson, Max  
Bush, Carol  
Duarte, Joe  
Green, Dennis  
Kolodziej, Walter  
True, Chris

Allen, Mary  
Cook, Allen  
Emerick, J. Tracy  
Hodgdon, Bruce  
Osborne, Jason  
Tucker, Pamela

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Rice, Frederick  
Kappler, Lawrence  
Potucek, John  
Welch, David

Bates, David  
DeSimone, Debra  
Gannon, William  
Katsakiores, Phyllis  
Gordon, Richard  
Weyler, Kenneth

**STRAFFORD**

DeLemus, Susan  
Kaczynski, Thomas  
Pitre, Joseph

Graham, Robert  
Turcotte, Leonard  
Whitehouse, Joshua

Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Hannon, Joseph  
Mullen, John

**SULLIVAN**

Laware, Thomas

and the committee report was adopted and ordered to third reading.

Reps. McLean and Vose declared conflicts of interest and did not participate.

**SB 392**, relative to the special training licenses issued by the board of podiatry. **OUGHT TO PASS.** Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Podiatry to issue special training licenses to persons enrolled in an accredited residency program in NH. The committee heard testimony that this bill is needed to address the growing shortage of podiatrists in NH. Our neighboring states currently offer residency for a podiatrist in training, giving them an edge in the recruitment of these medical professionals and greater certainty of these individuals remaining in state to practice following their residency. The license established by this bill provides NH with the same advantage. Vote 11-2.

Committee report adopted and ordered to third reading.

**SB 446**, relative to requirements of the state building code. **OUGHT TO PASS.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill adds a small provision to the statutes so that when the Building Code Review Board adopts new rules about the permit application process, the new rules are "reasonable." The committee heard testimony that some building inspectors have asked for extensive information during the application process and this slows down and or delays the issuance of permits. The only process in place to appeal is through the local zoning board and this could take a month or more creating real issues for getting a project started before a deadline. For example, if a permit is issued late enough in the fall to delay construction, it may not be possible to construct a foundation before the frost sets in. The balance of the process remains the same and the renovation or construction still needs to meet all necessary codes and still goes through the same inspection process, this bill just affects the ability to get the permit issued in a timely manner so construction can begin. Vote 9-6. Committee report adopted and ordered to third reading.

**SB 545**, proclaiming August as Cure all Cancer month. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Raymond Gagnon for the Majority of Executive Departments and Administration. The goal of this bill is to reinforce that an ounce of prevention is worth a pound of cure. The legislation serves as a tool in raising the public's attention in combating cancer. Testimony in support of this bill stressed how increasing the public's knowledge and awareness about cancer can have an effective impact and that statistics indicate enhanced education and awareness could reduce cancer by 50%. Proclaiming February as Cancer Prevention Month and February 4 as Cancer Prevention Day will complement federal cancer prevention efforts thus providing coordinated national, state and local efforts. Cancer prevention/education events provide added opportunities for anti-cancer groups to reach out to the general public. Lastly, this bill also recognizes August as Cure all Cancer Month in honor of the many people who have lost their lives to cancer or who are battling this dreaded disease. The rising incidence of cancer needs to be met with increased efforts both to implement prevention practices now and to find a cure as soon as possible. New Hampshire has demonstrated that it can be a leader in promoting cancer prevention and should do so with the passage of this legislation. Vote 9-8.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill as amended sets aside two different months and one particular day for cancer awareness. The minority applauds the purpose behind the bill and has no concerns regarding the desire to encourage people to live happier and healthier lives. The minority also has no concerns about promoting cancer awareness. However, we felt that this bill will not yield the intended results. The ED&A Committee sees a plethora of requests for special days and events and we felt that designating two months for this purpose would water down the message and in the end hurt the cause more than help it. The result of all of these requests is that every day will be a "special" day for some cause and then none of those days will be considered special as every day or month will be devoted to some cause and the importance of the individual issues will be lost in the noise.

### **Majority Amendment (1107h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Amend the bill by replacing sections 1 and 2 with the following:

1 Statement of Intent. The general court recognizes that October is Breast Cancer awareness month which is laudable. The general court further recognizes that there should be a focus on cancer prevention and finding a cure for all cancers and that having only one month for a specific

cancer may detract from many other deadly cancers. Therefore, the general court hereby proclaims February as cancer prevention month, February 4th as cancer prevention day, and August as Cure all Cancer month in honor of the many people who have lost their lives to cancer or who are battling cancer. The general court specifically dedicates this act to Tierra Brewster VanCise who lost her battle with lung cancer in October of 2010.

2 New Section; Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. Amend RSA 4 by inserting after section 13-u the following new section:

4:13-v Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. The governor shall annually proclaim February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month and shall urge cities and towns throughout the state to observe these dates in an appropriate manner in recognition of the thousands of citizens of this state affected by all types of cancer and the need for public awareness, research, and support for victims and their families.

#### AMENDED ANALYSIS

This bill proclaims February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 174 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and ordered to third reading.

#### BILLS REMOVED FROM THE CONSENT CALENDAR

**SB 498-FN**, relative to penalties for possession of certain controlled drugs. **OUGHT TO PASS.** Rep. David Welch for Criminal Justice and Public Safety. This bill is a result of a study of stakeholders such as law enforcement, public defenders, the courts and substance abuse organizations. They determined that reducing the penalty for possession of small amounts of marijuana and hashish to an unclassified misdemeanor with a minimum fine of \$500 would enable the court to treat first time offenders as a violation, enable substance abuse counseling or establish a criminal record based on the individual's conduct or record. Vote 13-0.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

**SB 460**, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph Boehm for Education. This bill authorizes the state board of education to adopt rules relating to preventing child sexual abuse and promoting healthy relationships. The amendment removes the terms child sexual abuse and healthy relationships and replaces it with the reference to existing law, RSA 169-C, which covers and defines sexual, psychological and physical child abuse. Vote 20-0.

#### Amendment (1196h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing the state board of education to adopt rules relative to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse under RSA 169-C, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

#### AMENDED ANALYSIS

This bill authorizes the state board of education to adopt rules relative to child abuse pursuant to the child protection act.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Ladd offered floor amendment (1241h).



**Floor Amendment (1241h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse *as established in the definition of "abused child" under RSA 169-C:3, II*, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

**AMENDED ANALYSIS**

This bill requires a school board to ensure that health and physical education as it relates to abused children is taught in schools.

Rep. Ladd spoke in favor.

Floor amendment (1241h) adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1270h).

**Floor Amendment (1270h)**

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, [especially] *including* physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse *under RSA 169-C*, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

Rep. Hoell withdrew floor amendment (1270h).

Majority committee report adopted and ordered to third reading.

**SB 441-FN**, relative to discounts and admission without charge at state parks. **OUGHT TO PASS.**

Rep. John Mullen for Resources, Recreation and Development. The bill was brought forth to modify the Division of Parks and Recreation's ability to offer admission without charge to persons 65 years of age and older to state parks and other areas, and repeals a requirement for the division to issue discount coupon books for state parks in the summer months. The premise behind this bill is to resolve a conflict between two statutes. RSA 218:5-c describes who and what park activities shall provide those 65 years and older free admission to state parks, historical sites, beaches and state operated ski areas. RSA 216-A:3-g instructs the division to charge fees that are comparable with fees for use of similar privately owned ski and campground facilities and should be according to market conditions. In addition, the fees are to be used to offset expenses to maintain these state facilities and be able to adjust to market conditions. This bill gives the division the ability to set limited fees for those over 65 subject to approval of the Fiscal Committee. These fees would allow the division to ensure the continued operation and improvement of state parks, historical sites, beach and ski areas while not violating the intent of current legislation to not unfairly compete with private facilities. Vote 17-0.

Rep. Bailey spoke against.

Rep. Mullen spoke in favor and yielded to questions.

Rep. Horrigan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 171 NAYS 158**

**YEAS - 171**

**BELKNAP**

Dumais, Russell  
Hurt, George

Tilton, Franklin  
Sylvia, Michael

Fields, Dennis  
Vadney, Herbert

Flanders, Donald

**CARROLL**

Chandler, Gene  
Schmidt, Stephen

Comeau, Ed  
Umberger, Karen

Crawford, Karel

McConkey, Mark

**CHESHIRE**

Bordenet, John  
Mann, John  
Sterling, Franklin

Emerson, Susan  
McConnell, James  
Tatro, Bruce

Hunt, John  
Pearson, William

Ley, Douglas  
Shepardson, Marjorie

**COOS**

Fothergill, John

Tholl, John

Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ladd, Rick  
White, Andrew

Johnson, Eric  
Hennessey, Martha

Higgins, Patricia  
Maes, Kevin

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Coffey, James  
Ferreira, Elizabeth  
Gagne, Larry  
Haefner, Robert  
Rice, Kimberly  
LeBrun, Donald  
Murotake, David  
Brown, Pamela  
Pierce, David  
Rowe, Robert  
Straight, Phillip  
Wolf, Terry

Griffin, Barbara  
Boehm, Ralph  
Danielson, David  
Flanagan, Jack  
Gargas, Carolyn  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
McCarthy, Peggy  
Ober, Russell  
Scontsas, Lisa  
Takesian, Charlene

Balcom, John  
Byron, Frank  
DiSilvestro, Linda  
Freitas, Mary  
Gidge, Kenneth  
Herbert, Christopher  
Christiansen, Lars  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Rosenwald, Cindy  
Seidel, Carl  
Ulery, Jordan

Beaulieu, Jane  
Christensen, Chris  
Edwards, Elizabeth  
Smith, Gregory  
Gould, Linda  
Hinch, Richard  
Ober, Lynne  
McNamara, Richard  
Ohm, Bill  
Pellegrino, Anthony  
Rouillard, Claire  
Simmons, Tammy  
Williams, Kermit

**MERRIMACK**

Bradley, Paula  
Ebel, Karen  
Hess, David  
Kenison, Linda  
MacKay, James  
Shurtleff, Stephen

Brewster, Michael  
Gile, Mary  
Hill, Gregory  
Kidder, David  
Marple, Richard  
Walsh, Thomas

McGuire, Dan  
French, Harold  
Hoell, J.R.  
Kotowski, Frank  
Martin, John

Deloge, Helen  
Henle, Paul  
Horn, Werner  
Luneau, David  
Moffett, Howard

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Thomas, Douglas  
Rice, Frederick  
Gannon, William  
Hoelzel, Kathleen  
Manning, John  
Packard, Sherman  
Schroadter, Adam  
Woitkun, Steven

Abrami, Patrick  
Bates, David  
DeSimone, Debra  
Ferrante, Beverly  
Green, Dennis  
Ward, Joanne  
Matthews, Carolyn  
Peckham, Michele  
Sherman, Thomas

Allen, Mary  
Berrien, Skip  
Devine, James  
Fesh, Robert  
Hagan, Joseph  
Katsakiores, Phyllis  
McKinney, Betsy  
Potucek, John  
Sytek, John

Azarian, Gary  
Cook, Allen  
Elliott, Robert  
Francese, Paula  
Heffron, Frank  
Major, Norman  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Vose, Michael

**STRAFFORD**

Baber, William  
Graham, Robert  
Kaen, Naida  
Schmidt, Peter  
Wuelper, Kurt

Bickford, David  
Gray, James  
Turcotte, Leonard  
Southworth, Thomas

Bixby, Peter  
Groen, Warren  
Leeman, Don  
Spang, Judith

Cheney, Catherine  
Kaczynski, Thomas  
Mullen, John  
Whitehouse, Joshua

**SULLIVAN**

Schmidt, Andrew  
Rollins, Skip

Gottling, Suzanne  
Smith, Steven

Grenier, James

Irwin, Virginia

**NAYS - 158****BELKNAP**

Aldrich, Glen  
Spanos, Peter

Fisher, Robert  
Fraser, Valerie

Gallagher, Brian  
Varney, Peter

Howard, Raymond

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Wright, Ted

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Parker, Harold

Cordelli, Glenn  
Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Robertson, Timothy

Ames, Richard  
Eaton, Daniel  
Sad, Tara

Tilton, Benjamin  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Parkhurst, Henry

**COOS**

Froborg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Sykes, George

Bailey, Brad  
Ford, Susan  
Townsend, Charles

Bennett, Travis  
Gionet, Edmond

Cooney, Mary  
Nordgren, Sharon

**HILLSBOROUGH**

Backus, Robert  
Roberts, Carol  
Eastman, Eric  
Goley, Jeffrey  
Hansberry, Daniel  
Jeudy, Jean  
Mangipudi, Latha  
Moore, Josh  
Proulx, Mark  
Schleien, Eric  
Smith, Timothy  
O'Brien, William

Booras, Efstathia  
Cohen, Alan  
Edelblut, Frank  
Gorman, Mary  
Hogan, Edith  
Lachance, Joseph  
Manley, Jonathan  
Long, Patrick  
Christie, Rick  
Shattuck, Gilman  
Twombly, Timothy  
Woodbury, David

Bouldin, Amanda  
Cornell, Patricia  
Estevez, Eric  
Goulette, William  
Hopper, Gary  
Leishman, Peter  
Martel, Andre  
Peterson, Ken  
Walsh, Robert  
Snow, Kendall  
Sullivan, Victoria  
Zaricki, Nick

Burt, John  
Sullivan, Daniel  
Fromuth, Bart  
Guerette, C. Lee  
Jack, Martin  
O'Brien, Michael  
McClarren, Donald  
Porter, Marjorie  
Sanborn, Laurie  
Souza, Kathleen  
Vann, Ivy

**MERRIMACK**

Turcotte, Alan  
Carson, Clyde  
Karrick, David  
Patten, Dick  
Schuett, Dianne

Alicea, Caroletta  
Doherty, David  
Kuch, Bill  
Ratzki, Mario  
Wallner, Mary Jane

French, Barbara  
Hirsch, Geoffrey  
Myler, Mel  
Rogers, Katherine  
Wheeler, Deborah

Bartlett, Christy  
Frazer, June  
Parent, Jason  
Saunderson, George

**ROCKINGHAM**

Abramson, Max  
Cahill, Michael  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Introne, Robert  
Griffin, Mary  
Gordon, Pamela  
Simpson, Alexis

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Doucette, Fred  
Guthrie, Joseph  
Kappler, Lawrence  
McBeath, Rebecca  
Pantelakos, Laura  
True, Chris

Borden, David  
Cardon, G. Thomas  
Duarte, Joe  
Harris, Jeffrey  
Kolodziej, Walter  
McMahon, Charles  
Gordon, Richard  
Tucker, Pamela

Bush, Carol  
Cushing, Robert  
Edgar, Michael  
Hodgdon, Bruce  
Lovejoy, Patricia  
Nigrello, Robert  
Tilton, Rio

**STRAFFORD**

Berube, Roger  
DiSesa, Len  
Ward, Kenneth  
Wall, Janet

Burton, Wayne  
Gardner, Janice  
Pitre, Joseph

Cilley, Jacalyn  
Hannon, Joseph  
Rollo, Deanna

DeLemus, Susan  
Horrigan, Timothy  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Oxenham, Lee

Converse, Larry

Gagnon, Raymond

Laware, Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 20, 2016 at 10:00 a.m.

**LATE SESSION****Third Reading and Final Passage**

**SB 25-FN**, relative to the administration of epinephrine.

**SB 312**, relative to epinephrine administration in independent schools.

**SB 314**, relative to the membership of the higher education commission.

**SB 316**, relative to placement decisions by a child's individualized education program team.

**SB 322**, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools.

**SB 328-L**, relative to school districts and school administrative units exercising joint powers with other public agencies.

**SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.

**SB 371**, relative to school lunch meal payment policies.

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

**SB 237-FN**, establishing a reporting requirement for gubernatorial inauguration contributions.

**SB 313**, relative to requirements for licensed estheticians.

**SB 332**, relative to state procurement of goods and services.

**SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.

**SB 397**, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission.

**SB 398**, relative to renewal of licenses issued by the board of funeral directors and embalmers.

**SB 400**, relative to executive branch ethics.

**SB 467-FN**, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

**SB 257-FN**, relative to membership in the judicial retirement plan of judges appointed at age 63 or older.

**SB 318**, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area.

**SB 378**, relative to the availability of net metering tariffs.

**SB 320**, relative to non-academic surveys administered by a public school to its students.

**SB 330-FN**, relative to licensure of medical imaging professionals and radiation therapists.

**SB 392**, relative to the special training licenses issued by the board of podiatry.

**SB 446**, relative to requirements of the state building code.

**SB 545**, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

**SB 460**, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

**UNANIMOUS CONSENT**

Rep. Notter requested Unanimous Consent of the House regarding memorial remarks for the former member from Amherst, the Honorable Carol Holden.

Rep. Notter addressed the House.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the former member from Amherst, the Honorable Carol Holden.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Notter during Unanimous Consent be printed in the Permanent Journal.

Motion adopted unanimously.

**REMARKS**

**Rep. Notter:** Thank you, Mr. Speaker. I would like to invite the Representatives who were involved with the Vesta Roy Series, or the Federation of Republican Women, to stand with me at the podium to remember and honor our friend, Commissioner Carol Holden. Mr. Speaker, when I first got involved with New Hampshire politics I felt a bit “star struck,” I guess is the term, when I met elected officials. I was nervous the first time I met with Commissioner Holden. A television show called, “The Commish,” came to mind while I was having coffee at a Dunkin Donuts, in Merrimack, with an actual commissioner. Somehow our conversation led to a discussion of passing the time while waiting in line at the grocery store. When Commissioner Holden told me that she also enjoys reading the tabloid headlines, I felt more at ease and began to realize that perhaps, just maybe, elected officials are also just regular people. This past Friday, April 1, 2016, Commissioner Carol Holden died peacefully at her home after a brief illness. The news left many of us shocked and saddened, especially for her husband, Don. I just saw Carol, what seems like, days ago. She was wearing one of her signature hats and looked just fine. Yesterday, at the viewing, I saw the hat before I noticed her family in the receiving line. I’m happy to report that Carol Holden went to her eternal rest sporting a pink straw hat with a good Republican elephant pin at the top. She looked like she was sleeping. Several of us knew Carol through Vesta Roy. Vesta Roy was the NH State Senate President when Governor Hugh Gallen died in office in 1982. Vesta succeeded him, making her the first female governor of NH. Her portrait is at the base of the stairs that leads to the Senate Gallery. The first female Speaker of the NH House of Representatives was Donna Sytek. Speaker Sytek was one of the founders of a political educational program called, “Vesta Roy Excellence in Public Service.” Carol Holden was on the Vesta Roy Board of Directors and a mentor to several of us serving in the House today. We call ourselves, “Vesties.” Sometimes we wear a specific gold star to identify ourselves. It was Carol who taught me to how to politic a room. She taught me the proper wording when asking for an endorsement. She stressed what is essential when running for office. And when things were not to her liking, she let me know. In addition to the Vesta Roy Series, Carol had a long history with the Federation of Republican Women. The National Federation is based in Washington, D.C. Each state has its own chapter. Carol is a past President. We have five federated groups in our state. I think she supported them all. When I was a club president, Carol was my parliamentarian. It was her job to make sure that I ran the meetings the way that Donna Sytek taught me to in Vesta Roy. Carol gave me booklet of notes on Robert’s Rules for Parliamentary Procedure, to refer to as needed. Honestly though, if Carol was at one of our meetings, it was a lot easier to just look her way for a nod of approval than it was to look at my notes. A few weeks ago I was informed that as the current state president of the NH Federation of Republican Women, I had to fill the positions required by Nationals. Wasn’t it just days ago that I received an email from Carol accepting the position of, you guessed it, Parliamentarian? Carol’s obituary had a long list of Republican boards and activities that she ran or served. She was one of three commissioners for Hillsborough County. Merrimack was one of the towns in her district. She always marched in our 4<sup>th</sup> of July parade. She worked the Republican booth at county fairs and was always seen at various Republican events, the like the Federation’s annual Lilac Luncheon. Did you know that she was related to President George

Bush? Yeah, both of them, #41 and #43. Carol is from the Walker branch of the family. We had coffee with Doro Bush this past December. For those who don't know, Jeb is not George W's only sibling. There is also Neil, Marvin, and Doro. When I introduced Carol to Doro, Doro called her "Cousin" for the rest of the visit. Carol held many offices. She was a NH State Rep from 1984-1997. She chaired and co-chaired committees and served as Assistant Majority Leader in her last two years. Female legislators are automatically members of the Order of the Women Legislators. I believe you know them by the term, "The OWLS." Sometime last fall I was browsing in the Capitol Visitor's Center. Debbie Rivers pointed to a stack of books on the floor, in the corner, that were being given away. She handed me one. I took it home and added it to a stack of books sitting on the floor, in the corner, of my room. It was a book about the OWLS. I didn't know what to do with it. At Christmas time, the Merrimack Town Republican committee had a fundraiser. Carol was there, because Carol went to most Republican meetings. When she saw the book on the table with giveaways and political literature, she asked me about it. When I told her that she could have it, I saw her face light up like I've never seen before. The book covered the years that she served in this House, and her name was in it. I will always remember how happy and pleased she looked that evening. I can't believe she is gone. Her friend, local photographer Glynis Citarelli, posted the following on Facebook: "Madam Commissioner, you truly wore many hats. A tireless public servant. Godspeed my dear friend." To that I'd like to add, "May her memory be eternal." Thank you, Mr. Speaker.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 12:20 p.m.

### RECESS

**(Rep. Barbara French in the Chair)**

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 527, 1145, 1438 and Senate Bills numbered 110 and 238.

Rep. Hinch, Sen. Prescott for the Committee

### SENATE MESSAGES

### CONCURRENCE

**HB 1116**, relative to net metering.

**HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws.

**HB 1197**, relative to conservation number plate funds.

**HB 1208-FN**, relative to administration of the tobacco tax.

**HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

**HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

**HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

**HB 1283**, relative to school notification of a change in placement.

**HB 1285**, relative to the donation of food that has passed its expiration date.

**HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee.

**HB 1665-FN**, adopting the interstate medical licensure compact.

### REFERRED FOR INTERIM STUDY

**HB 1689**, relative to operator requirements under the meals and rooms tax.

### RECESS

(Speaker Jasper in the Chair)

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 295, 536, 1171, 1199, 1315, 1355 and 1418.

Rep. Hinch, Sen. Prescott for the Committee

**ENROLLED BILL AMENDMENTS**

**HB 242**, relative to the statewide improvement and assessment program.

**Amendment (1291-EBA)**

Amend section 1 of the bill by replacing line 1 with the following:

1 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i) to Motion adopted.

**HB 1388-FN**, expanding crossbow use into muzzleloader season.

**Amendment (1316-EBA)**

Amend the title of the bill by replacing it with the following:

AN ACT expanding crossbow use into muzzleloader season.

Motion adopted.

**REFERRAL DECLINED**

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies

**RECESS**

(Rep. Ladd in the Chair)

**ENROLLED BILL AMENDMENTS**

**SB 25-FN**, relative to the administration of epinephrine. (Amendment printed SJ 4/21/16)

Motion adopted.

**SB 312**, relative to epinephrine administration in independent schools. (Amendment printed SJ 4/21/16)

Motion adopted.

**SB 332**, relative to state procurement of goods and services. (Amendment printed SJ 4/14/16)

Motion adopted.

**SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Amendment printed SJ 4/21/16)

Motion adopted.

**SENATE MESSAGES****ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE**

**HB 427**, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1.

The President appointed Sens. Carson, Reagan and Soucy.

**HB 628-FN**, relative to indemnification of health care provider facilities under certain circumstances.

The President appointed Sens. Sanborn, Carson and Kelly.

**CONCURRENCE**

**HB 535-FN**, relative to signs advising motorists approaching highway emergencies.

**HB 1181**, relative to designating an alternate cemetery trustee.

**HB 1220**, relative to disqualification of election officers.

**HB 1239**, relative to certain terminology in the education statutes.

**HB 1244-L**, relative to municipal cemeteries.

**HB 1289**, making technical corrections to certain tax laws.

**HB 1290**, relative to filing dates for business taxes.

**HB 1300**, relative to the content of patriotic exercises in public schools.

**HB 1497**, relative to the limits on disclosure of information used on college entrance exams.

**HB 1553-FN**, transferring the administration of the telecommunications accounting unit.

### NONCONCURRENCE

**HB 1313-FN**, relative to eligibility to vote and relative to availability of voter information.

**HB 1529-FN**, relative to reporting of felony convictions for voter checklist updates.

### LAID ON THE TABLE

**HB 1156**, relative to interference with traffic devices.

**HB 1247**, relative to poker in private residences.

### CONCURRENCE WITH AMENDMENTS

**SB 313**, relative to requirements for licensed estheticians.

**SB 400**, relative to executive branch ethics.

**SB 460**, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

### RECESS

**(Rep. Mangipudi in the Chair)**

### ENROLLED BILL AMENDMENTS

**HB 1116-FN**, relative to net metering.

#### Amendment (1443-EBA)

Amend section 2 of the bill by replacing line 1 with the following:

2 Public Utility. Amend RSA 362:2, II to read as

Motion adopted.

**HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws.

#### Amendment (1441-EBA)

Amend RSA 21-M:16, IV-a as inserted by section 7 of the bill by replacing lines 1-2 with the following:

*IV-a. For the purposes of this section, "vulnerable adult" means an adult who was the reported victim of abuse, neglect, self-neglect, or exploitation which was reported to*

Amend section 11 of the bill by replacing lines 2-3 with the following:

the term vulnerable in the following RSA sections: 161-F:42, 161-F:73, I, 639-A:1, III, and 639-A:2, II, III.

Motion adopted.

**HB 1197**, relative to conservation number plate funds.

#### Amendment (1408-EBA)

Amend section 4 of the bill by replacing line 2 with the following:

261:97-b Conservation Number Plate [Trust] Fund.

Motion adopted.

**HB 1208-FN**, relative to administration of the tobacco tax.

#### Amendment (1440-EBA)

Amend RSA 78:12-a, II as inserted by section 7 of the bill by replacing line 2 with the following: evidence tax paid under this chapter in this state to licensed wholesalers.

Motion adopted.

**HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.



**Amendment (1433-EBA)**

Amend RSA 541-A:21, IX as inserted by section 3 of the bill by replacing line 2 with the following: the state highway aid program, adopted under rulemaking authority of the commissioner of the  
Motion adopted.

**HB 1283**, relative to school notification of a change in placement.

**Amendment (1389-EBA)**

Amend RSA 169-C:20-a, II as inserted by section 1 of the bill by replacing line 1 with the following:  
II. The department and school district shall develop a transition plan for the child. The  
Motion adopted.

**HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee.

**Amendment (1427-EBA)**

Amend section 1 of the bill by replacing line 2 with the following:  
A:32, II(e) to read as follows:  
Motion adopted.

**HB 1665-FN**, adopting the interstate medical licensure compact.

**Amendment (1407-EBA)**

Amend RSA 329-C:2, XII as inserted by section 1 of the bill by replacing it with the following:

XII. "Offense" means a felony, misdemeanor, or crime of moral turpitude.

Amend RSA 329-C:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The state of primary residence for the physician; or

Amend RSA 329-C:4, I(d) as inserted by section 1 of the bill by replacing line 1 with the following:

(d) If no state qualifies under subparagraph I(a), (b), or (c), the state designated as

Motion adopted.

**SB 330-FN**, relative to licensure of medical imaging professionals and radiation therapists. (Amendment printed SJ 4/14/16)  
Motion adopted.

**RECESS****(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.

## HOUSE JOURNAL NO. 12

Wednesday, April 20, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Father Thom Duston, Pastor of St. Theresa's Parish in Henniker and Wing Chaplain of Pease Air National Guard Base.

Would you pray with me? Good and gracious God, You are the source of all life, and of our natural rights. Our ancestors recognized this in our state's constitution. They also acknowledged that when we come together in society, we must be willing to surrender up our rights to it for the protection of others. Lord God help us. Help us to appreciate the lives You have given us. Help us to acknowledge our natural rights and protect them for all. Help us to willingly sacrifice of ourselves for the good of others and of all. Lord bless each of us with the wisdom and courage we need to sacrifice for and serve well all citizens of our beloved state. Amen

Representative Sad, member from Walpole and Representative Haefner, member from Hudson, led the Pledge of Allegiance.

The National Anthem was sung by the member from Manchester, Representative Larry Gagne.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Pamela Brown, Bush, Comtois, Kellogg, Moody, Pantelakos, Parison, Phillips, Priestley, Rappaport, Ratzki, Russell, Sanders, Stevens, Tatro, Verschueren and Wright, the day, illness.

Reps. Andrew Christie, Cook, Deloge, DiSesa, Edwards, Fisher, Pamela Gordon, Ingbretson, Introne, Ley, McNamara, O'Neil, Oligny, Carol Roberts, Schleien, Timothy Smith, Tamburello, Varney and Thomas Walsh, the day, important business.

Rep. DeSimone, the day, illness in the family.

### INTRODUCTION OF GUESTS

Brendan Sica, student at Bishop Brady High School, Page for the day.

Allison O'Neil and students, guests of Representative Cordelli. The Honorable Sylvia Gale, former member from Nashua, and Catherine Sofikitis, guests of Representative Rosenwald. George and Phyllis Weimann, Uncle and Aunt of Representative Ticehurst. David Woolpert, guest of Representatives Hirsch and Barbara French. Roger Dontonville, guest of Representative Piper. Susan McKeivitt, guest of Representative Irwin. Chris Heath, Master of the state Grange, and members of the state Grange; Bob and Jane Trombi, Josie Best, Esther Herrick and Andrew Savage, guests of Representative Haefner. The Honorable Carolyn Brown, former member from Conway, Jim Umberger, husband of Representative Karen Umberger, and John Edgerton, guests of the Mount Washington Valley Representatives.

### SENATE MESSAGES

#### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 231**, relative to the criteria for evaluating school building aid applications. (Amendment printed SJ 3/31/16)

Reps. Ladd and Kurk moved that the House concur and spoke in favor.

Rep. Ladd spoke in favor.

Motion adopted.

**HB 1121**, relative to the academic areas that comprise the statewide assessment. (Amendment printed SJ 4/7/16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

**HB 1164**, relative to contributions by a city or town to the county or state. (Amendment printed SJ 4/14/16)  
Rep. James Belanger moved that the House concur and spoke in favor.  
Motion adopted.

**HB 560-FN**, including a viable fetus in the definition of “another” for the purposes of certain criminal offenses. (Amendment printed SJ 1/14/16)  
Rep. Tholl moved that the House nonconcur and spoke in favor.  
Motion adopted.

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 242, 1388, 1397 and 1419 and Senate Bill numbered 318.

Rep. Hinch, Sen. Prescott for the Committee

### CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day’s House Record be adopted.

**SB 466-FN**, relative to the detention of a minor while waiting for the disposition of his or her case, removed by Rep. Lynne Ober.

**SB 465-FN**, relative to the nonconsensual dissemination of private sexual images, removed by Rep. Lynne Ober.

**SB 418**, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws, removed by Rep. Hoelzel.

**SB 481-FN**, relative to a special health care service license and establishing a fund, removed by Rep. Dan McGuire.

**SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants, removed by Rep. Hinch.

**SB 496-FN**, relative to personal care attendant services, removed by Rep. Hinch.

**SB 535-FN-A**, establishing a grant program for high schools for heroin and opiate prevention education, removed by Rep. Duane Brown.

Consent Calendar adopted.

**SB 543-FN**, relative to private transferring of adopted children. **OUGHT TO PASS.**

Rep. Carolyn Gargas for Children and Family Law. This bill prohibits unauthorized advertising for adoption purposes. This especially is of concern for ads through the Internet. It also prohibits transfer of a child through a power of attorney document without going through the state adoption process. Vote 13-0. Referred to the Committee on Judiciary.

**SB 450**, relative to investments by insurance companies. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill replaces some of the existing life insurance and property and casualty insurance investment statutes with the latest National Association of Insurance Commissioners’ (NAIC) model language. It applies general principles and sets specific investment standards appropriate to those insurers. Investments made by insurers are critical to their solvency and are highly regulated. The New Hampshire Insurance Department is required to “require a diversified investment portfolio for all domestic insurers both as to type and issues and include a requirement for liquidity” as part of the NAIC’s accreditation process. Vote 18-2.

**SB 488-FN-L**, relative to breastfeeding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. As introduced in the Senate, this bill required employers to provide reasonable accommodations to women who are breastfeeding and included a provision exempting nursing mothers from jury duty. Prior to passage, the Senate amended this bill by adopting a House Commerce Committee amendment to a similar bill, that was retained in the committee last year. This similar bill, SB 219, was tabled in the House in January. After a long subcommittee work session, the House Commerce Committee, with a strong bipartisan majority (18-2), amended this bill to establish an Advisory Council on Lactation. The council’s duties are to consider the goals of the Office of the Surgeon General and the US Breastfeeding Committee and to examine best practices in New Hampshire for, not only breastfeeding, but also expressing breast milk at work. The advisory council is required to file an interim report by November 1, 2016 and a final report by December 1, 2017. Vote 19-1.

**Amendment (1372h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing an advisory council on lactation.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Advisory Council on Lactation. Amend RSA 275 by inserting after section 75 the following new subdivision:

**Advisory Council on Lactation**

275:76 Advisory Council on Lactation.

I. There is hereby established an advisory council on lactation. The advisory council shall consider the goals of the United States Surgeon General and the United States Breastfeeding Committee. The advisory council shall be comprised of, but not limited to:

(a) One member of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the senate president.

(c) The commissioner of the department of labor, or designee.

(d) A representative from the women, infants, and children program (WIC), appointed by the commissioner of the department of health and human services.

(e) A certified midwife, appointed by the midwifery council established in RSA 326-D:3.

(f) A member of the New Hampshire Business and Industry Association, appointed by the association.

(g) The president of the New Hampshire Breastfeeding Rights Coalition, or designee.

(h) The chairperson of the New Hampshire Breastfeeding Task Force, or designee.

(i) A hospital administrator from a certified baby-friendly hospital, appointed by the governor.

(j) A transportation representative, appointed by the governor.

(k) A currently breastfeeding mother, appointed by the governor.

(l) An attorney with experience in human rights issues, appointed by the New Hampshire commission on human rights.

II. The advisory council may examine best practices in New Hampshire, including but not limited to the Baby Friendly Hospital Initiative, Family and Sick Leave, Childcare Trainings on Breastfeeding, Milk Banks, Lactation Spaces in Public Accommodations, and the World Health Organization's International Code of Marketing of Breastmilk Substitutes.

III. Legislative members shall receive mileage at the legislative rate while attending to the duties of the commission.

IV. The advisory council may meet as often as necessary to effectuate its goals and meetings may be held by conference call. A minimum of 3 meetings per year shall be open to the public.

V. The advisory council shall make an interim report commencing on November 1, 2016 and a final report on December 1, 2017 on its activities and findings, together with any recommendations for proposed legislation, to the president of the senate, the speaker of the house of representatives, and the governor.

2 Repeal. RSA 275:76, relative to an advisory council on lactation, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect December 1, 2017.

II. The remainder of this act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill establishes an advisory council on lactation.

Referred to the Committee on Judiciary.

**SB 468-FN**, relative to changes to the sex offender registry. **OUGHT TO PASS WITH AMENDMENT.** Rep. Robert Cushing for Criminal Justice and Public Safety. In March of 2015 the New Hampshire Supreme Court ruled in the case of John Doe v. State of New Hampshire that a group of sex offenders convicted of crimes before the sex offender registry was created in 1992 and placed on the registry as a Tier III offender had been denied their right to due process to have their names removed from the registry. The court ruled that a group of convicted sex offenders who were not aware at the time of their conviction that they would be placed on the sex offender registry were entitled to petition to have their names removed from the registry altogether if they could prove that they were no longer a risk to the public. The court left it

to the legislature to determine how to assess the dangerousness of this group before allowing them to be removed from the registry. This bill establishes a procedure that will improve public safety for all New Hampshire residents by utilizing an effective risk assessment to ensure that the current danger of an offender is assessed. It also ensures that the victims of these serious offenders have notice that their victimizer is attempting to come off the sex offender registry and provides the opportunity for the victim to have input into this decision. This amended bill was supported by the Coalition Against Domestic and Sexual Violence, the New Hampshire Civil Liberties Union, and the Attorney General. Vote 19-0.

### **Amendment (1232h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6, III(a)(1) to read as follows:

(1) *Except as provided in paragraph V*, all tier III offenders shall remain on the public list contained in RSA 651-B:7 for life.

2 New Paragraph; Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6 by inserting after paragraph IV the following new paragraph:

V.(a) Any tier II or tier III offender who was convicted prior to the establishment of the sex offender registry may petition the court to be relieved from the registration requirements under this chapter. The petition shall include the petitioner's current address and information about each conviction for which he or she is required to register, including the nature of the offense, the sentence imposed, and the court and the jurisdiction in which the petitioner was convicted. The petition shall be accompanied by a certified copy of the petitioner's criminal history record from each jurisdiction in which he or she is required to register. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence, including any period of supervised release. The petition shall also be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense, which indicates that the petitioner is not a danger to the public and no longer poses a risk sufficient to justify continued registration. The petition shall be filed in the county where the most recent predicate conviction occurred, except if the most recent predicate conviction occurred in another state or jurisdiction, the petition shall be filed in the county where the petitioner resides. Such petition shall not be filed as or addressed as part of a criminal case.

(b) Prior to granting any petition to relieve an offender from the registration requirements under this chapter, the court shall hold a hearing on the petition. The court shall provide notice of the hearing at least 60 days prior to the hearing to the county attorney, the department of safety sex offender unit, and the department of corrections. The county attorney shall use reasonable efforts to notify the victim or victim's family. The court shall permit those parties to be heard on the petition. The victim may appear personally, or through a representative, or may provide a written statement expressing his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim when making a decision regarding the petition.

(c) The court may grant the petition if the offender has not been convicted of any subsequent offense requiring registration, has successfully completed any period of supervised release, probation, or parole, has successfully completed an appropriate sex offender treatment program as determined by the court, and has demonstrated that he or she is no longer a danger to the public and no longer poses a risk sufficient to justify continued registration. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.

3 Registration of Criminal Offenders; Hearing. Amend RSA 651-B:10, I to read as follows:

I. Any offender required to register for an offense committed in another state, country, territory, or tribal territory, or under federal law that is determined to be a reasonably equivalent offense to an offense listed *in* RSA 651-B:1, V(a) or RSA 651-B:1, VII(a) or (b) may appeal that determination to the commissioner. The offender shall, within 10 days of notification, request a hearing on the matter before the commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. ~~[The offender]~~ **Either party** shall have the right to appeal the commissioner's decision in superior court.

4 Effective Date. This act shall take effect upon its passage.

**SB 475-FN**, requiring law enforcement agencies to file crime reports with the department of safety. **OUGHT TO PASS.**

Rep. John Martin for Criminal Justice and Public Safety. This bill would require all law enforcement agencies in the state to file reports in accordance with the FBI's Uniform Crime Reporting Program. Currently, there are 53 localities that do not report this information. Only nine of those localities do not have the records management system to comply with this requirement. The bill states that those agencies will have the means to report provided to them by the Department of Safety, eliminating any prohibitions under Part I, Article 28-a of the NH Constitution. Currently, the state is spending millions of dollars in the face of the opioid crisis and these 53 agencies are not reporting data which could be used in assessing the effectiveness of these new expenditures. This bill closes a hole in the reporting system and adds to the database reporting the effectiveness of state spending. Vote 16-3.

**SB 517-FN**, increasing the amount deducted from a fine for each day of a person's incarceration. **OUGHT TO PASS.**

Rep. David Welch for Criminal Justice and Public Safety. This bill increases the amount credited to a fine when the defendant is incarcerated for non-payment of a fine. The amount of jail time is reduced and therefore the county and county taxpayers are well served. Currently the amount to be deducted is \$50 per day, and this bill increases the amount to \$150 per day. Vote 13-0.

**SB 326**, relative to the membership of the community college system of New Hampshire board of trustees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Elliott for Education. This bill adds an employee to the Community College System of New Hampshire Board of Trustees. The bill further establishes a process by which 3 employees, other than personnel on the system leadership team (SLT), are elected to a slate of three potential candidates from which the Governor selects on for consent of the council. Community College leadership and employees support this bill as it strengthens system participation, communication and transparency. Lastly, the bill contains a "conflict of interest" clause. Vote 19-0.

#### **Amendment (1353h)**

Amend RSA 188-F:4, II(1) as inserted by section 1 of the bill by replacing it with the following:

(1)(1) One member shall be an employee of the community college system of New Hampshire. Such trustee position shall rotate among the institutions within the community college system of New Hampshire, proceeding in alphabetical order beginning with the college that is first alphabetically. The institutions within the community college system of New Hampshire, through an election at all-college/institutional forum, shall nominate a slate of 3 employees, that shall not include members of the community college system leadership team (SLT), whose names shall be forwarded to the governor who shall choose one for the nomination. The employee-trustee shall serve a 2-year term. In the event the employee-trustee is unable for any reason to serve the entire term, the chairman of the board of trustees shall declare a vacancy in that employee-trustee position. Upon expiration or vacancy of such term, the next institution in order shall nominate a slate of 3 employees, not to include a member of the SLT, whose names shall be forwarded to the governor for consideration.

(2) For purposes of this paragraph, "community college system leadership team (SLT)" means and is comprised of the chancellor, vice chancellor, president of each community college, and the chancellor's senior staff associated with statewide policy and operational coordination as identified in the handbook for administrative, managerial, professional and operating support staff exempt from the collective bargaining process, as approved by the community college system of New Hampshire board of trustees.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Paragraph; Conflict of Interest. Amend RSA 188-F:4 by inserting after paragraph VII the following new paragraph:

VIII. Board members shall not be eligible to participate in a vote when the board member has recused himself or herself from participation because he or she has a pecuniary or personal interest or other conflict of interest.

#### **AMENDED ANALYSIS**

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire.

This bill also requires members of the community college system of New Hampshire board of trustees to recuse themselves from voting when there is a conflict of interest.

**SB 353**, relative to names on ballots. **OUGHT TO PASS.**

Rep. William Gannon for Election Law. This bill seeks to level the playing field so that all names on the ballot receive no undue preference due to one candidate using a change in font, capitalization, or other means to make his name stand out, making its' appearance inconsistent with that of the names around him. Vote 17-0.

**SB 456-FN**, relative to reporting of receipts and expenditures by candidates and candidate committees. **OUGHT TO PASS.**

Rep. William Gannon for Election Law. This bill amends the process for reporting of receipt and expenditures by candidates and candidate committees by authorizing an electronic system for uploading reports to the Secretary of State's website. This will simplify and expedite this administrative process. Vote 17-0.

**SB 121-FN-L**, relative to exceptions from the land use change tax for removal of certain materials. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Environment and Agriculture. The committee heard compelling and extensive testimony on this bill. It appears to have been introduced to address a specific situation, but could have unintended consequences. This bill was written to address an individual's request who wanted to sell material from his land now in current use, but did not want to incur a land use change tax event. It was agreed by the committee that the current use law is quite specific and that the landowner gets a large tax credit in exchange for agreeing to the current use restrictions. Both the NH Municipal Association and the NH Farm Bureau are opposed to this bill. Vote 14-0.

**SB 345**, relative to the definition of agritourism. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John O'Connor for Environment and Agriculture. This bill, as amended, corrects an ambiguity in the statutory definition of agriculture that currently does not include agritourism. The term "agritourism," to be defined by the bill within the definition of agriculture in RSA 21:34-a, II(b) (5), means to attract visitors to a farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm, all of which are considered accessory uses to the primary farm operation. As the result of the recent Supreme Court ruling which pointed out the ambiguity within the law, a roundtable of stakeholders, including NH Municipal Association, legislators, the Department of Agriculture, Markets and Food, and the NH Farm Bureau, among others, spent months developing this legislation which is a reasonable balance between competing interests and will preserve local control. The bill will allow our farmers to contribute to both the economic viability and long-term sustainability of our New Hampshire farms. Vote 13-0.

**Amendment (1286h)**

Amend RSA 21:34-a, II(b)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) The marketing or selling at wholesale or retail, ~~[on-site and off-site, where permitted by local regulations;]~~ *of any products from the farm, on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.*

**SB 415**, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Bixby for Environment and Agriculture. This bill would have added a requirement for hydration for domestic animals to statute, and would have created a committee to study harmful weather conditions for dogs. Current law requires that sustenance be provided, which includes hydration, making this change in law redundant. The Governor's Commission on the Humane Treatment of Animals has studied and continues to study all aspects of animal welfare and provides a manual of standards and training for local police. A study committee is unnecessary. We also heard testimony that the variability in dog breeds and acclimatization makes it impossible to develop a blanket statement concerning weather that is harmful to dogs. Vote 14-0.

**SB 524**, relative to state procurement card rebates. **OUGHT TO PASS.**

Rep. Jean Jeudy for Executive Departments and Administration. This bill removes a reference from RSA 9-D:2 that permitted a portion of state procurement card rebates be used to reduce the unfunded liability of the NH Retirement System. It also corrects a problem created by an amendment added to SB 191 last year that provided for the deposit of such rebates in the general fund. Vote 16-0.

**SB 323**, relative to the use of force by employees of hospitals or other health care facilities. **OUGHT TO PASS.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill adds hospitals and health care facilities to an existing statute which authorizes the use of force by persons with special responsibilities. It allows an authorized hospital employee to use non-deadly force when it is reasonably believed to be necessary to maintain decorum or safety, and allows deadly force only when reasonably believed to be necessary to prevent death or serious bodily injury. The bill is critically necessary because of the number of violent situations which occur in health care settings. The committee heard testimony that hospital security personnel employees must undergo rigorous hospital specific training programs. Vote 16-0. Referred to the Committee on Criminal Justice and Public Safety.

**SB 417**, relative to employment contract restrictions upon physicians. **OUGHT TO PASS.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill eliminates non-compete clauses in physician contracts to the hospital. Non-compete clauses limit competition and when a physician leaves a hospital, or practice they have to leave their patients without their doctors. With the MD shortage in the state, more physicians may be enticed to move to New Hampshire if they do not have to commit to a non-compete. Doctors can be an important person to their patients once relationships are formed and this can be devastating to a patient when the doctor is forced to move out of town. Vote 19-0. Referred to the Committee on Commerce and Consumer Affairs.

**SB 420-FN**, relative to aid to the permanently and totally disabled. **OUGHT TO PASS.**

Rep. Mary Freitas for Health, Human Services and Elderly Affairs. This bill ensures that applicants who have been denied eligibility for cash assistance as part of aid to the permanently and totally disabled be treated in the same manner as persons who were terminated. The bill also authorizes the Department of Health and Human Services to adopt rules relative to the continuation of cash assistance pending appeal of a termination or denial decision. Vote 12-0. Referred to the Committee on Finance.

**SB 427**, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. **OUGHT TO PASS.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. The committee heard considerable testimony regarding this matter and all agreed a study to determine best practice was warranted. Vote 15-0.

**SB 193-FN-L**, establishing a committee to study the duties of the attorney general and the county attorneys. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Heffron for Judiciary. The committee heard testimony that the office of the attorney general meets regularly with all county attorneys in a collegial manner to discuss their respective responsibilities in criminal cases. Accordingly, the committee concluded that it is not necessary to establish a study committee. Vote 17-0.

**SB 341**, establishing a committee to study guardianship in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Kenison for Judiciary. Regulations differ for court appointed public versus private guardians, raising questions regarding caseloads, compensation, jurisdiction, and requirements for becoming a guardian. These and other related issues are in need of review and will be studied under this bill. Vote 16-1.

**Amendment (1281h)**

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Four members of the house of representatives, one of whom shall be a member of the children and family law committee, 2 of whom shall be members of the judiciary committee, and one of whom shall be a member of the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.



Amend the bill by replacing sections 3 and 4 with the following:

3 Duties. The committee shall study guardianship in New Hampshire to determine:

I. Whether guardians should be registered and licensed by the state.

II. Who should have jurisdiction over guardians.

III. The number of guardians in New Hampshire and how the work of a private guardian differs from that of a public, court appointed guardian.

IV. The requirements, if any, for someone to become a guardian.

V. Whether New Hampshire should adopt, or adopt with amendment, the National Guardianship Association Standards of Practice.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

**SB 352**, naming a cove in Lake Winnepesaukee as Ritson Cove. **OUGHT TO PASS.**

Rep. Ted Wright for Resources, Recreation and Development. Currently unnamed, this bill would name a cove at the south end of Governor's Island in Gilford after Ted Ritson who built a camp on the site in 1938. Over the last several decades, several generations of the Ritsons have been active in local conservation efforts and other community service. In particular, Ted Ritson, who died eight years ago, was very involved in water quality protection in the area. The committee feels this is a fitting tribute and, according to testimony, neighbors are in agreement. Vote 17-2.

**SB 374**, requiring the department of environmental services to update coastal flooding trends. **OUGHT TO PASS.**

Rep. Frederick Rice for Resources, Recreation and Development. The Coastal Risks and Hazards Commission recommended that their final report be updated every five years by collecting data on coastal flooding trends. Since the Department of Environmental Services was deeply involved in preparing the report and is familiar with the information involved, it is the most appropriate agency to perform this function and is therefore given this responsibility by the bill. Data will be used to update regional plans to protect the seacoast from damage due to storm surge, sea level rise, or flooding. Vote 19-0.

**SB 375**, establishing the coastal marine natural resources and environment commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frederick Rice for Resources, Recreation and Development. One of the requirements of the Coastal Risks and Hazards Commission, which expires at the end of this year, is to recommend rules and regulations that will protect New Hampshire's coastal resources. In order to do this, data must be collected on a periodic basis to determine what steps must be taken. This bill forms a commission that will review the data collected and make further recommendations to the legislature and Governor on an annual basis for actions to be taken. The amendment adds sedimentation as a concern to be monitored by the commission. Vote 17-0.

#### **Amendment (1204h)**

Amend RSA 485-F:3 as inserted by section 1 of the bill by replacing it with the following:

485-F:3 Duties. The commission shall:

I. Investigate, monitor, and propose prevention and mitigation strategies for emerging environmental threats in coastal and Great Bay waters, including but not limited to warming of waters, ocean acidification, sedimentation, and nutrient loading, which impact fish, shellfish, and the food chain thereof.

II. Identify gaps and recommend improvements in water quality monitoring, including monitoring pH and evaluating its impact on the impaired waters designation of water bodies.

III. Recommend strategies for enhancing capacities for improving water quality.

IV. Examine the Blue Carbon credit program for sea grass promotion and oyster bed restoration.

V. Report annually on November 1 to the chairs of the house and senate committees with jurisdiction over issues affecting coastal marine resources and the environment, the senate president, the speaker of the house, and the governor.

**SB 461-FN**, relative to expenditures of the Winnepesaukee River Basin control program funds. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill expands the purposes for which the Winnepesaukee River Basin Program funds collected from local member communities may be expended to include authority to fund studies to improve its operations. Vote 17-0.

**SB 484**, relative to the role of the Winnepesaukee River advisory board. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill requires the Winnepesaukee River Advisory Board, which is composed of appointees from the towns and cities whose sewage is processed by the Winnepesaukee River Basin Program, to make a recommendation to the Governor and Council on each request for a contract to plan, design or construct capital improvements under RSA 485-A:49. Vote 17-0.

**SB 309**, relative to sulfur limits of certain liquid fuels. **OUGHT TO PASS.**

Rep. Glen Aldrich for Science, Technology and Energy. This bill will lower sulfur limits of certain fuels in New Hampshire to levels already adopted by all of the other New England states. Passing this bill not only helps the environment but our constituents as well. Oil burners that use low sulfur content fuel do not need to be cleaned as often. The Oil Heat Council of NH requested and supports this legislation. Vote 16-0.

**SB 321**, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. Only four towns in New Hampshire distribute their own electricity. This bill would require the Public Utilities Commission to make a one-time incentive payment to churches in those towns that install solar panels. Electricity users in those four towns do not contribute any funds to the Renewable Energy Fund, so the committee felt the churches should not be eligible to receive benefits from it. Vote 18-0.

**SB 377**, relative to emission levels of municipal waste combustion units. **OUGHT TO PASS.**

Rep. David Murotake for Science, Technology and Energy. This bill lowers the limits on certain emission levels of municipal waste combustion units. The bill amends RSA 125-C:10-a by placing new limits of emissions for municipal waste combustors of rated capacity between 35-250 tons of solid waste per day. Pollutants limited include particulate matter, cadmium, lead, mercury, sulfur dioxide, hydrogen chloride and dioxins. This change should improve the health of people and animals living near municipal waste combustors and reduce damage to the state's environment. Vote 17-0.

**SB 357**, relative to driver's license examinations. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. This bill adds specific items to be included in driver's license examinations covering changes to New Hampshire traffic law, driver road knowledge, and safety. These items are already in the examination and are being added to the statute. In addition to protecting drivers from tickets this will qualify NH for federal safety grants. Vote 13-2.

**SB 359**, relative to funding electric vehicle charging stations with municipal registration permits. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill simply adds electric vehicle charging stations to the list of allowed projects that can be funded using the municipal and transportation improvement fund. Electric vehicles will start becoming more popular. Vote 14-0.

**SB 362**, requiring notice to planning boards of placement of signs on scenic byways. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill simply requires the Department of Transportation to notify local planning boards of plans to add traffic signs in the state's historic and scenic areas. Testimony given mentioned new technology and requirements for road curve signs that spurred this change. Vote 15-2.

**SB 519**, relative to highway signs. **OUGHT TO PASS.**

Rep. Gladys Johnsen for Transportation. Essential motorist service signs regarding food, fuel, and attractions are permitted within limited distances on limited access highways. This bill extends the permissible zone from the Massachusetts border to Concord, and north of Concord on I-93 and I-89. Vote 17-0.

**SB 343**, establishing a commission to study apportionment of gross business profits under the business profits tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Gallagher for Ways and Means. This proposal establishes a commission to study apportionment of gross business profits under the Business Profits Tax (BPT). Testimony highlighted the need for examination of our BPT apportionment factors as other states shift to systems that negatively impact New Hampshire based businesses engaged in cross-border commerce. The amendment increases the number of House members on the committee from 2 to 3. Vote 20-0.

#### **Amendment (1275h)**

Amend RSA 77-A:22, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

**SB 344-FN**, relative to tax credits applicable to client companies of employee leasing companies. **OUGHT TO PASS.**

Rep. Brian Gallagher for Ways and Means. This bill clarifies the application of business tax credits based on employment to client companies of employee leasing companies. This bill is a result of work done last year which allowed companies utilizing the employee leasing model to be able to use the Business Enterprise Tax (BET) credit allowed against the Business Profits Tax (BPT) liability. This proposal addresses a language issue identified by the Department of Employment Security for a credit for taxes to cover unemployment. This language also fixes an oversight relating to the application for credits in calendar or fiscal years. The Department of Revenue Administration worked with the Department of Employment Security to create a solution. All New Hampshire companies using leasing companies will be able to use the credit for BET they pay starting January 1, 2016. Vote 20-0.

**SB 442-L**, establishing a commission to study the taxability of lease interests in public property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. This bill calls for a commission to study taxability of lease interests in public property. The committee agrees that this commission is required to develop suggested changes that would be uniform and fair and that could become the basis of future legislation. In section IV, the committee amended the bill to have the Senate member call the first meeting of the commission rather than the first named House member. Vote 18-2.

#### **Amendment (1289h)**

Amend RSA 72:79, II as inserted by section 1 of the bill by replacing it with the following:

II. The members of the commission shall be as follows:

- (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of revenue administration, or designee.
- (d) One representative of the New Hampshire Municipal Association, appointed by the association.
- (e) One representative of the New Hampshire Association of Assessing Officials, appointed by the association.

Amend RSA 72:79, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

**SB 552-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. **REFER FOR INTERIM STUDY.**

Rep. Robert Nigrello for Ways and Means. The committee has heard multiple bills this session dealing with the application of the United States Internal Revenue Code of 1986 applicable to the Business Profits Tax, subject to certain adjustments. NH business tax limits for 179(a) capital deductions (\$25,000) and the gap between the recently passed increase in the Federal Internal Revenue Code (\$500,000) 179(a) deductions are important to our business community. The unanimous vote of the Ways and Means Committee was to do additional work on SB 239, one of the similar bills already in committee, and place this

bill in interim study. Both SB 552 and SB 239 and the already passed HB 668 seek to increase the NH capital deduction for business and seek to have the Department of Revenue file a report informing the House and Senate of changes to the United States Internal Revenue Code, related Treasury regulations, and administrative rulings which would impact New Hampshire. Vote 20-0.

### REFERRAL DECLINED

Rep. Rowe, Chairman of the Committee on Judiciary, under the provisions of House Rule 46 (f), declined the referral of **SB 488-FN-L**, establishing an advisory council on lactation, and **SB 543-FN**, relative to private transferring of adopted children.

### REGULAR CALENDAR - PART I

**SB 515-FN**, relative to child neglect and other changes to the child protection act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: ~~EXPEDIENT~~ TO LEGISLATE.**

Rep. Frank Edelblut for the Majority of Children and Family Law. Under current law, the definition of a neglected child is one who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for physical, mental or emotional health, when it is established that health has suffered or is very likely to suffer serious impairment. This bill as amended creates, as a probable cause circumstance, to initiate an investigation of possible neglect because of an opioid abuse or dependence. This probable cause provides parental protections of a rebuttable presumption and participation in treatment for such dependence is a legitimate reason for rebuttal. There is no provision in this bill regarding prenatal care. Currently, this issue is being addressed by hospitals developing best practices procedures. This bill is specifically targeting the opioid crisis even though the committee recognizes there are other harmful drugs. The Division of Children, Youth and Families (DCYF) is flexible about treatment, especially where there is a scarcity of treatment; for example, there are Family Resource Centers and Licensed Alcohol and Drug Counselors in each county. There is a sunset provision in the bill of July 2020. Vote 11-3.

Rep. Elizabeth Ferreira for the Minority of Children and Family Law. Although the minority recognizes the good intentions behind the bill, significant concerns were raised during the public hearing about unintended consequences if the bill were to become law. OB/GYN doctors and nurses, as well as educators and advocates working against addiction, testified that the bill would discourage pregnant women with substance use disorder from seeking prenatal treatment. For example, a pregnant woman in recovery who slipped back into drug use might not be forthcoming with her health care provider about the relapse, or might avoid prenatal checkups altogether, to avoid legal consequences. This would endanger her unborn child. Some experts questioned why the bill was limited to opioids, and why the use of other substances would not also be considered neglect. In their view, this would create an incentive to use other drugs instead. Another concern raised was that the bill would require a level of treatment not available in certain parts of our state, and that, even where treatment programs are available, some have long waiting lists, making compliance difficult. There were also concerns that this law would add a lot of cases to an already burdened division of DHHS. Moreover, it was unclear what, precisely, would define compliance with the law. Therefore, the minority believes that the proposed legislation would cause more harm than good.

### Majority Amendment (1354h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the child protection act.

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. Evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall create a rebuttable presumption that the child's health has suffered or is very likely to suffer serious impairment. The presumption may be rebutted by evidence of the parent's compliance with treatment for such use or dependence.

Amend the bill by replacing all after section 4 with the following:

5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2020.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that evidence of a custodial parent’s opioid drug abuse or dependence creates a rebuttable presumption of harm under the Child Protection Act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

The bill is a request of the department of health and human services.  
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Itse offered floor amendment (1481h).

Floor Amendment (1481h)

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. There shall be a rebuttable presumption that evidence of a custodial parent’s opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, is evidence that a child’s health has suffered or is very likely to suffer serious impairment or to issue an ex parte order. The presumption may be rebutted by evidence such as the parent’s participation in treatment for such use or dependence or another responsible adult in the home acting as a caretaker.

Amend the bill by replacing all after section 4 with the following:

5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2020.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that evidence of a custodial parent’s opioid drug abuse or dependence creates a rebuttable presumption of harm under the child protection act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

Rep. Itse spoke in favor.

Rep. Berrien spoke against.

Floor amendment (1481h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Simmons requested a roll call; sufficiently seconded.

YEAS 203    NAYS 129

YEAS - 203

BELKNAP

Fields, Dennis

Flanders, Donald

Spanos, Peter

Fraser, Valerie

CARROLL

Buco, Thomas

Butler, Edward

Chandler, Gene

Cordelli, Glenn

Crawford, Karel

McConkey, Mark

Parker, Harold

Schmidt, Stephen

Umberger, Karen

CHESHIRE

Abbott, Michael

Ames, Richard

Tilton, Benjamin

Berch, Paul

Bordenet, John

Chase, Cynthia

Eaton, Daniel

Emerson, Susan

Johnsen, Gladys

Hunt, John

Roberts, Kris

Mann, John

Parkhurst, Henry

Pearson, William

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Weber, Lucy

COOS

Fothergill, John

Froburg, Alethea

Moynihn, Wayne

Theberge, Robert

Tholl, John

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Brown, Duane  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Hennessey, Erin  
Ladd, Rick  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Ford, Susan  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Shackett, Jeffrey

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Cote, David  
Edelblut, Frank  
Gagne, Larry  
Gorman, Mary  
Harvey, Suzanne  
Infantine, William  
Kurk, Neal  
Mangipudi, Latha  
Palmer, Barry  
Porter, Marjorie  
Snow, Kendall  
Williams, Kermit

Baroody, Benjamin  
Christensen, Chris  
Sullivan, Daniel  
Flanagan, Jack  
Gargas, Carolyn  
Guerette, C. Lee  
Heath, Mary  
Belanger, James  
Ober, Lynne  
Manley, Jonathan  
Pellegrino, Anthony  
Walsh, Robert  
Soucy, Timothy  
Wolf, Terry

Barry, Richard  
Cohen, Alan  
Danielson, David  
Forest, Armand  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Jack, Martin  
Leishman, Peter  
Marston, Dick  
Peterson, Ken  
Rowe, Robert  
Vann, Ivy  
Woodbury, David

Biggie, Barbara  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
Judy, Jean  
O'Brien, Michael  
Martel, Andre  
Pierce, David  
Shattuck, Gilman  
O'Brien, William

**MERRIMACK**

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Luneau, David  
Myler, Mel  
Schuett, Dianne

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Martin, John  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Berrien, Skip  
Cushing, Robert  
Elliott, Robert  
Francese, Paula  
Hoelzel, Kathleen  
Matthews, Carolyn  
Milz, David  
Sherman, Thomas  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Devine, James  
Rice, Frederick  
Ward, Gerald  
Sweeney, Joe  
McBeath, Rebecca  
Packard, Sherman  
Simpson, Alexis  
Woitkun, Steven

Azarian, Gary  
Cahill, Michael  
DiFranco, Debbie  
Ferrante, Beverly  
Hagan, Joseph  
Lovejoy, Patricia  
McKinney, Betsy  
Belanger, Ronald  
Sytek, John

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Fesh, Robert  
Heffron, Frank  
Major, Norman  
McMahon, Charles  
Tilton, Rio  
Welch, David

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Smith, Marjorie  
Sprague, Dale

Berube, Roger  
Gray, James  
Schmidt, Peter  
Treleven, Susan

Bixby, Peter  
Horriggan, Timothy  
Rollo, Deanna  
Wall, Janet

Burton, Wayne  
Ward, Kenneth  
Southworth, Thomas

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Heame, Andrew

**NAYS - 129****BELKNAP**

Aldrich, Glen  
Howard, Raymond  
Vadney, Herbert

Dumais, Russell  
Hurt, George

Tilton, Franklin  
LeBreche, Shari

Gallagher, Brian  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Ticehurst, Susan

Comeau, Ed

McCarthy, Frank

Nelson, Bill

**CHESHIRE**

McConnell, James

Sterling, Franklin

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad

Darrow, Stephen

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Eastman, Eric  
Smith, Gregory  
Hogan, Edith  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Ober, Russell  
Simmons, Tammy  
Twombly, Timothy

Ammon, Keith  
Burt, John  
Estevez, Eric  
Gould, Linda  
Hopper, Gary  
LeBrun, Donald  
Murotake, David  
McCarthy, Peggy  
Rouillard, Claire  
Souza, Kathleen  
Ulery, Jordan

Griffin, Barbara  
Byron, Frank  
Ferreira, Elizabeth  
Halstead, Carolyn  
Rice, Kimberly  
McClarren, Donald  
Murphy, Keith  
Proulx, Mark  
Sanborn, Laurie  
Stepanek, Stephen  
Sullivan, Victoria

Balcom, John  
Coffey, James  
Fromuth, Bart  
Hansen, Peter  
Christiansen, Lars  
McLean, Mark  
Notter, Jeanine  
Christie, Rick  
Seidel, Carl  
Straight, Phillip  
Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
McGuire, Dan  
Horn, Werner  
Seaworth, Brian

Brewster, Michael  
French, Harold  
Kuch, Bill

McGuire, Carol  
Hill, Gregory  
Marple, Richard

Long, Douglas  
Hoell, J.R.  
Parent, Jason

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
Emerick, J. Tracy  
Harris, Jeffrey  
Kappler, Lawrence  
Griffin, Mary  
Peckham, Michele  
Schroadter, Adam  
Vose, Michael

Baldasaro, Alfred  
Thomas, Douglas  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Manning, John  
Potucek, John  
Spillane, James  
Webb, James

Bates, David  
Doucette, Fred  
Green, Dennis  
Itse, Daniel  
Kolodziej, Walter  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
True, Chris

Cardon, G. Thomas  
Duarte, Joe  
Guthrie, Joseph  
Ward, Joanne  
Lundgren, David  
Osborne, Jason  
Gordon, Richard  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Turcotte, Leonard  
Whitehouse, Joshua

Bickford, David  
Jones, Laura  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Kaczynski, Thomas  
Mullen, John

Groen, Warren  
Knowles, Robert  
Pitre, Joseph

**SULLIVAN**

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted and referred to the Committee on Finance.

**REFERRAL DECLINED**

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **SB 323**, relative to the use of force by employees of hospitals or other health care facilities.

**REGULAR CALENDAR PART I CONT'D**

**SB 500-FN**, relative to student health insurance plans. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. The purpose of this bill is to establish a mechanism to provide formal authorization for Dartmouth College and the University of New Hampshire to continue to operate student health insurance plans on a self-funded basis. Both institutions have been operating such plans for several years. There is a need to provide for oversight of the plans by the New Hampshire Insurance Department, since they are currently not regulated with respect to financial solvency or consumer protections by any other state or federal regulator. The bill is the result of a collaborative discussion with the affected entities as to the best way to proceed on this issue. The Insurance Department has made it clear that they would like to continue to collaborate as the bill moves forward in the legislature, to ensure that its objectives are clear and that the contemplated process works smoothly. Vote 16-4. Rep. Fromuth requested a roll call; sufficiently seconded.

**YEAS 256 NAYS 84**

**YEAS - 256****BELKNAP**

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Hurt, George	Fraser, Valerie	Vadney, Herbert	

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	

**COOS**

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Boehm, Ralph	Booras, Efsthathia
Christensen, Chris	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Sullivan, Daniel	Danielson, David	DiSilvestro, Linda
Edelblut, Frank	Flanagan, Jack	Forest, Armand	Freitas, Mary
Smith, Gregory	Gagne, Larry	Gargas, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Guerette, C. Lee



Haefner, Robert  
Herbert, Christopher  
Belanger, James  
Kurk, Neal  
Leishman, Peter  
McClarren, Donald  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Shaw, Barbara  
Straight, Phillip  
Wolf, Terry

Hansberry, Daniel  
Hinch, Richard  
Jack, Martin  
Christiansen, Lars  
O'Brien, Michael  
Ohm, Bill  
Pellegrino, Anthony  
Walsh, Robert  
Sanborn, Laurie  
Snow, Kendall  
Ulery, Jordan  
Woodbury, David

Harvey, Suzanne  
Hopper, Gary  
Judy, Jean  
Ober, Lynne  
Mangipudi, Latha  
Long, Patrick  
Pierce, David  
Rosenwald, Cindy  
Seidel, Carl  
Soucy, Timothy  
Vann, Ivy

Heath, Mary  
Infantine, William  
Rice, Kimberly  
LeBrun, Donald  
Manley, Jonathan  
McCarthy, Peggy  
Porter, Marjorie  
Rouillard, Claire  
Shattuck, Gilman  
Souza, Kathleen  
Williams, Kermit

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hess, David  
Frazer, June  
Kotowski, Frank  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Hill, Gregory  
Karrick, David  
Luneau, David  
Myler, Mel  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
French, Harold  
Hirsch, Geoffrey  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Henle, Paul  
Horn, Werner  
Kidder, David  
Martin, John  
Rogers, Katherine  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Rice, Frederick  
Friel, William  
Heffron, Frank  
Kolodziej, Walter  
Manning, John  
Milz, David  
Peckham, Michele  
Tilton, Rio  
Sytek, John  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Cushing, Robert  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Schroader, Adam  
Tucker, Pamela  
Woitkun, Steven

Azarian, Gary  
Cahill, Michael  
Thomas, Douglas  
Edgar, Michael  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sherman, Thomas  
Webb, James

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Elliott, Robert  
Francese, Paula  
Hagan, Joseph  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Belanger, Ronald  
Simpson, Alexis  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Leeman, Don  
Rollo, Deanna  
Wall, Janet

Berube, Roger  
Cheney, Catherine  
Horrigan, Timothy  
Smith, Marjorie  
Southworth, Thomas

Bickford, David  
Cilley, Jacalyn  
Ward, Kenneth  
Mullen, John  
Sprague, Dale

Bixby, Peter  
Gardner, Janice  
Knowles, Robert  
Schmidt, Peter  
Treleaven, Susan

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Smith, Steven

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

### NAYS - 84

### BELKNAP

Aldrich, Glen  
Spanos, Peter

Gallagher, Brian  
Sylvia, Michael

Howard, Raymond

LeBreche, Shari

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

McConnell, James

**GRAFTON**

Johnson, Eric

Hull, Robert

Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher

Ammon, Keith

Griffin, Barbara

Burt, John

Byron, Frank

Eastman, Eric

Estevez, Eric

Ferreira, Elizabeth

Fromuth, Bart

Halstead, Carolyn

Hansen, Peter

Hogan, Edith

Lachance, Joseph

Marston, Dick

Martel, Andre

McLean, Mark

Moore, Josh

Murotake, David

Murphy, Keith

Notter, Jeanine

Peterson, Ken

Christie, Rick

Ober, Russell

Simmons, Tammy

Twombly, Timothy

Sullivan, Victoria

O'Brien, William

Zaricki, Nick

**MERRIMACK**

Brewster, Michael

McGuire, Carol

Long, Douglas

McGuire, Dan

Hoell, J.R.

Kuch, Bill

Marple, Richard

Parent, Jason

Seaworth, Brian

**ROCKINGHAM**

Abramson, Max

Baldasaro, Alfred

Bates, David

Chirichiello, Brian

Doucette, Fred

Duarte, Joe

Emerick, J. Tracy

Gannon, William

Green, Dennis

Harris, Jeffrey

Hodgdon, Bruce

Ward, Joanne

Kappler, Lawrence

Lundgren, David

McBeath, Rebecca

Osborne, Jason

Gordon, Richard

Spillane, James

True, Chris

Vose, Michael

**STRAFFORD**

Beaudoin, Steven

DeLemus, Susan

Groen, Warren

Hannon, Joseph

Jones, Laura

Kaczynski, Thomas

Turcotte, Leonard

Pitre, Joseph

Whitehouse, Joshua

Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

O'Hearne, Andrew

Rollins, Skip

and the committee report was adopted and referred to the Committee on Finance.

**SB 503-FN-A**, relative to pre-kindergarten education using "pay for success" financing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ralph Boehm for the Majority of Education. This bill establishes a commission to extend a request for proposals to provide pre-kindergarten education services to 4 year olds in New Hampshire by creating a "pay for success" partnership between providers of pre-kindergarten education services and investors. Although the bill indicates that program costs will be paid by private investment, at some point costs will ultimately be paid by the taxpayer. The question must be asked, "At what age will we allow the state to take over the job of parenting young children because the state knows best?" Studies from the National Institute of Child Health and Human Development show that children who spend time in non-maternal care before age 5 have more behavior problems later in life. The bill supposes that pre-kindergarten programming will result in less remedial or special education services in third grade, but these results may not be proven for at least four years from now. Further, with the way that success is measured or set up by the commission or third party evaluator, results data supporting an investment return to investors could be manipulated. Success of this program relies on private investments which could lead to lawsuits against the state should the investment return associated with the measures of student growth be questioned showing little or no student improvement. There are many variables in education associated with student growth. To say growth is a result of one variable such as pre-kindergarten programming would be difficult to prove. This bill has too many unanswered issues. Vote 16-4.

Rep. Mary Heath for the Minority of Education. The minority finds this bill establishes a commission to extend invitations to establish pilot pre-kindergarten education services in New Hampshire to improve educational outcomes for its youngest children utilizing a “pay for success” model to finance the pilot program. This tool allows for philanthropic funders and impact investors to provide the initial capital to implement the programs. This bill aims to improve third grade reading proficiency and to reduce the need for special education remediation. To accomplish these goals this bill provides for an impact study project to expand proven, quality pre-kindergarten services without risking local or state dollars to determine if the proposed program will result in the promised goal attainment. Through pay for success, the commission will establish contracts between: (1) One or more providers of pre-k services, who will provide pre-k services to expand cohorts of 4-year olds in NH; (2) Third party investors will provide the upfront capital to expand and deliver those services. These investors may include investors seeking a return of both principal and interest, philanthropic investors seeking only a full or partial return of the principal and/or grantors and federal agencies that do not seek a financial return; and (3) The state would agree to repay investors only if the evaluator determines the services did improve the third grade reading and special education outcomes. This bill will help providers to identify quality pre-k programs using rigorous longitudinal data regarding student outcomes so that proven quality practices can be shared and implemented in NH by those providers wishing to offer such programs.

Majority committee report adopted.

**SB 210-FN, relative to regulation of septic system evaluators. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill establishes a Board of Septic System Evaluators for the licensure and regulation of persons engaged in the practice of septic system evaluations. The bill is proposed as a consumer protection measure. The committee heard testimony that 50% of NH homes are on individual septic systems, the second highest in the country. Yet, there are currently no state standards or guidelines for those engaged in the practice of septic system evaluation. This shortcoming in the practice can potentially lead to a cost exceeding \$10,000 for the unnecessary replacement of a septic field. The licensure and regulation proposed by this bill will help to ensure a more uniform set of standards by which septic evaluators provide their service. The legislation itself was proposed by the septic system trades. The amendment to the bill made several technical corrections and revised penalties to be in line with other statutes on certain criminal practices. The amendment also ensured liberal, yet functional, grandfathering provisions for those currently providing septic evaluations. This will permit practicing and qualified practitioners to continue to do their work without undue hardship. Vote 13-5.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill seeks to create a new license for those that evaluate or inspect septic systems. These inspections are typically done when there are issues with the system or when there is a real estate transaction and the potential buyer wants to know if the septic system is in good working order. The draft of this bill was based on the home inspectors license and there were numerous issues found with that “boiler plate” language that was used as the basis for this potential law. After multiple subcommittee hearings and several executive sessions a significant rewrite of the bill took place. The issues with the proposed licensure system are as follows: current DES rules, Chapter Env-Wq 1000 Subdivision and Individual Sewerage Disposal System Design Rules, Env-Wq 1003.22, already require that an inspector get written confirmation from the town health inspector or building inspector when the inspector is stating the septic system is in “failure.” With a state license the consumer may be lulled into a false sense of security. For example, it has been reported by government studies and as well the AMA that in one of the most regulated fields, that of medicine, that between 210,000 and 440,000 injuries including death occur in the US annually and this is a completely licensed set of professions. Furthermore, the training may indicate a level of classroom and field training, but with this license, there is no indication of efficiency, reliability, or honesty, nor is there any level of guaranteed competence. The consumers will still need to count on free market solutions to know the quality of the inspector that they are hiring. Lastly, the license system creates larger but not better government. Although the joint board overseeing this new license will be self-funding under this statute, there is no liability to the state if the individual licensed by the state fails to do a good job and therefore the consumer is paying for something that they are not getting. The minority recommends this bill be held for interim study to make sure the bill is ready to be turned into a statute.

**Majority Amendment (1273h)**

Amend RSA 310-A:203, III as inserted by section 2 of the bill by replacing it with the following:

III. "Code of ethics" means the code of ethics described in RSA 310-A:205 that is followed by septic system evaluators who are licensed as septic system evaluators by the board.

Amend RSA 310-A:205, V as inserted by section 2 of the bill by deleting subparagraph (f).

Amend RSA 310-A:206, I(e) as inserted by section 2 of the bill by replacing it with the following:

(e) An employee of the department of environmental services, appointed by the commissioner of the department of environmental services.

Amend RSA 310-A:206, V as inserted by section 2 of the bill by replacing it with the following:

V. Members shall be appointed for 5-year terms. Appointments for terms of less than 5 years may be made in order to stagger the appointments. No member shall be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's term, the member shall serve until a successor is qualified and appointed. Vacancies occurring prior to the expiration of a specific term shall be filled by appointment for the unexpired term. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. A board member may be removed for cause by the governor and council under RSA 4:1.

Amend RSA 310-A:206, VIII and IX as inserted by section 2 of the bill by replacing them with the following:

VIII.(a) The board shall keep a record of its proceedings and a register of all applications for licensure, which shall show:

- (1) The name, age, and residence of each applicant.
- (2) The date of application.
- (3) The place of business of such applicant.
- (4) The applicant's educational and other qualifications.
- (5) Proof of passing the septic system evaluator exam.
- (6) Whether the applicant was rejected and the reasons for such rejection.
- (7) Whether a license was granted.
- (8) The date of the action of the board.
- (9) Such other information as may be deemed necessary by the board.

(b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, as of December 31, the board shall submit to the executive director of the office of professional licensing and certification a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.

IX. The secretary of the board shall maintain and regularly update a roster listing the names and addresses of all septic system evaluators certified under this subdivision by the board on the board's website. The board may include in such roster any other information it deems appropriate. Amend RSA 310-A:210 as inserted by section 2 of the bill by replacing it with the following:

310-A:210 Eligibility Requirements for Licensure as a Septic System Evaluator.

I. Each applicant for licensure as a septic system evaluator shall meet the following minimum requirements:

- (a) Completion of classroom and field training at a board-approved evaluator course.
- (b) Proof of passing the board-adopted examination required for licensure.
- (c) Be at least 18 years of age.

II. A person who currently holds a Granite State Septic System Certified Evaluator designation or other recognized designation determined to be acceptable by the board shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of such designation.

III. A person who was actively engaged in the business of septic system evaluation in this state as a means of his or her livelihood for at least 5 years and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An application for licensure under this paragraph

shall be made within one year following the effective date of this subdivision. The applicant shall be issued a license by providing evidence satisfactory to the board of the knowledge and experience equivalent to the requirements of subparagraphs I(a) and I(b).

IV. A person who currently holds a New Hampshire septic designer permit and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be issued a license by the board without completion of the requirements of subparagraph I(a) or I(b) upon request of the applicant. An application for licensure under this paragraph shall be made within one year following the effective date of this subdivision.

V. All applicants shall meet the requirements of subparagraphs I(c) and (d), pay an initial fee, and fulfill all other license application requirements.

VI. The board shall approve all education programs under subparagraph I(a) of organizations or education institutions providing acceptable education and training.

VII. The board shall have the discretion to reject an applicant who is not of good professional character, as evidenced by:

(a) Misstatement of facts by the applicant in connection with the application;

(b) Violation of any of the standards of practice or code of ethics as they are set forth in this subdivision or in rules adopted by the board; or

(c) Practicing septic system evaluations without being licensed in violation of laws of the jurisdiction in which the practice took place.

Amend RSA 310-A:215, II as inserted by section 2 of the bill by replacing it with the following:

II. All licenses issued by the board shall expire on the last day of the license holder's month of birth in the second year following the year of issuance, or upon such other biennial date as the board may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the license holder's name shall be removed from current status, and application for reinstatement shall be required to return to current status provided that the license holder provides satisfactory proof that all required continuing education requirements have been met. The board shall charge a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12 months after the expiration date shall be rejected, unless accompanied by proof of successful completion of the examination required by the board. If a license holder fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the license holder shall be required to reapply and to be re-examined for licensure.

Amend RSA 310-A:216 as inserted by section 2 of the bill by replacing it with the following:

**310-A:216 Disciplinary Action.**

I. The board may undertake disciplinary proceedings upon written complaint of any person which charges that a person certified by the board has committed misconduct under paragraph II and which specifies the grounds therefor.

II. Misconduct sufficient to support disciplinary proceedings under this section shall include:

(a) The practice of fraud or deceit in procuring or attempting to procure a license to practice under this subdivision.

(b) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of, the profession.

(c) Unfitness or incompetence by reason of negligence or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the expertise of the license holder.

(d) Mental or physical incompetence to practice under this subdivision.

(e) Willful or repeated violation of the provisions of this subdivision.

(f) Suspension or revocation of a license, similar to one issued under this subdivision, in another jurisdiction and not reinstated.

(g) Violations of the code of ethics for septic system evaluators, or any other rule adopted by the board.

(h) Providing false testimony before the board.

(i) Failure to provide, within 30 calendar days of receipt of notice by certified mail, return receipt requested, information requested by the board as a result of any formal complaint to the board alleging a violation of this subdivision.

(j) Knowingly making or signing any false statement, license, or affidavit in connection with the practice of septic system evaluations.

Amend RSA 310-A:217, II as inserted by section 2 of the bill by replacing it with the following:

II.(a) The board shall have the power to administer oaths or affirmations and preserve testimony.

(b) The board may subpoena witnesses, and compel, by subpoena duces tecum, the production of all books, records, files and documents, whether originals, copies, or in electronic or other form, and other materials, relevant to its investigation of any grievance, complaint, or disciplinary proceeding before the board with the approval of the office of the attorney general.

(c) A minimum of 10 business days' notice shall be given for compliance with a subpoena under this subdivision.

Amend RSA 310-A:219 - RSA 310-A:221 as inserted by section 2 of the bill by replacing them with the following:

310-A:219 Violations; Penalty.

I. It shall be a class B misdemeanor, for the first offense, and a Class A misdemeanor for the second and any subsequent offense, for any natural person to:

(a) Present or attempt to use the license of another as one's own;

(b) Give any false or forged evidence of any kind to the board or to any board member in obtaining a license;

(c) Attempt to use a revoked license;

(d) Beginning January 1, 2017, practice septic system evaluations or to offer, advertise, or hold oneself out to the public as being in the practice of septic system evaluation in this state without a license; or

(e) Violate any of the provisions of this subdivision.

II. It shall be a violation for any natural person to attempt to use an expired license.

310-A:220 Restraint of Violations. The superior court shall have jurisdiction in equity to restrain violations of RSA 310-A:219 on proceedings brought by the attorney general, or the board.

310-A:221 Exemptions. Nothing in this subdivision shall be construed to prevent or affect the following persons from evaluating septic systems:

I. A person who is employed by a governmental entity if the inspection is within official duties and responsibilities.

II. A septic system designer holding a current valid permit issued under RSA 485-A:35.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Reps. Hoell and Beaudoin spoke against and yielded to questions.

Rep. Cilley spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 178 NAYS 162**

**YEAS - 178**

**BELKNAP**

Fields, Dennis

**CARROLL**

Buco, Thomas  
Parker, Harold

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

McConkey, Mark

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sterling, Franklin

Ames, Richard  
Chase, Cynthia  
Roberts, Kris  
Robertson, Timothy  
Weber, Lucy

Tilton, Benjamin  
Eaton, Daniel  
Mann, John  
Sad, Tara

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Maes, Kevin  
Brown, Rebecca  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Booras, Efsthathia  
Sullivan, Daniel  
Freitas, Mary  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
Leishman, Peter  
Martel, Andre  
Peterson, Ken  
Rosenwald, Cindy  
Vann, Ivy

Baroody, Benjamin  
Cohen, Alan  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
Long, Patrick  
Porter, Marjorie  
Shattuck, Gilman  
Williams, Kermit

Barry, Richard  
Cornell, Patricia  
DiSilvestro, Linda  
Gargas, Carolyn  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Mangipudi, Latha  
McCarthy, Peggy  
Proulx, Mark  
Snow, Kendall  
Wolf, Terry

Beaulieu, Jane  
Cote, David  
Forest, Armand  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Christiansen, Lars  
Manley, Jonathan  
Pellegrino, Anthony  
Walsh, Robert  
Soucy, Timothy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Friel, William  
Hoelzel, Kathleen  
Milz, David  
Sherman, Thomas

Berrien, Skip  
Cushing, Robert  
Elliott, Robert  
Ward, Gerald  
Lovejoy, Patricia  
Nigrello, Robert  
Simpson, Alexis

Borden, David  
Devine, James  
Rice, Frederick  
Hagan, Joseph  
Griffin, Mary  
Belanger, Ronald  
Sytek, John

Cahill, Michael  
DiFranco, Debbie  
Francese, Paula  
Heffron, Frank  
McBeath, Rebecca  
Tilton, Rio  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Ward, Kenneth  
Southworth, Thomas

Berube, Roger  
Gardner, Janice  
Smith, Marjorie  
Spang, Judith

Bixby, Peter  
Gray, James  
Schmidt, Peter  
Treleaven, Susan

Burton, Wayne  
Horrigan, Timothy  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 162****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Spanos, Peter

Dumais, Russell  
Howard, Raymond  
Sylvia, Michael

Tilton, Franklin  
Hurt, George  
Fraser, Valerie

Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Shackett, Jeffrey

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Byron, Frank  
Estevez, Eric  
Gould, Linda  
Hopper, Gary  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Christie, Rick  
Sanborn, Laurie  
Souza, Kathleen  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Ferreira, Elizabeth  
Halstead, Carolyn  
Infantine, William  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Ober, Russell  
Seidel, Carl  
Stepanek, Stephen  
Sullivan, Victoria

Griffin, Barbara  
Bouldin, Amanda  
Eastman, Eric  
Fromuth, Bart  
Hansen, Peter  
Belanger, James  
Marston, Dick  
Murotake, David  
Palmer, Barry  
Rouillard, Claire  
Shaw, Barbara  
Straight, Phillip  
O'Brien, William

Balcom, John  
Burt, John  
Edelblut, Frank  
Smith, Gregory  
Hogan, Edith  
Rice, Kimberly  
McClarren, Donald  
Murphy, Keith  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
French, Harold  
Kuch, Bill  
Seaworth, Brian

McGuire, Carol  
Hoell, J.R.  
Marple, Richard

Long, Douglas  
Horn, Werner  
Martin, John

McGuire, Dan  
Kidder, David  
Parent, Jason

**ROCKINGHAM**

Abramson, Max  
Barnes, Arthur  
Thomas, Douglas  
Emerick, J. Tracy  
Green, Dennis  
Sweeney, Joe  
Kolodziej, Walter  
Matthews, Carolyn  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
True, Chris  
Welch, David

Allen, Mary  
Bates, David  
Dean-Bailey, Yvonne  
Ferrante, Beverly  
Guthrie, Joseph  
Ward, Joanne  
Lundgren, David  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
Tucker, Pamela  
Weyler, Kenneth

Azarian, Gary  
Cardon, G. Thomas  
Doucette, Fred  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
Major, Norman  
McMahon, Charles  
Peckham, Michele  
Schroadter, Adam  
Vose, Michael

Baldasaro, Alfred  
Chirichiello, Brian  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Manning, John  
O'Connor, John  
Potucek, John  
Spillane, James  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Knowles, Robert  
Pitre, Joseph

Bickford, David  
Hannon, Joseph  
Turcotte, Leonard  
Sprague, Dale

Cheney, Catherine  
Jones, Laura  
Leeman, Don  
Whitehouse, Joshua

DeLemus, Susan  
Kaczynski, Thomas  
Mullen, John  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and referred to the Committee on Finance.



**SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill changes the appointment process for members of the commission and removes the requirement that appointees be approved by the Governor and Council. It adds additional reporting requirements to the governor's commission, including biannual reports on financial expenditures for substance abuse related work, and presentations once each legislative session to the Finance Committees of the House and Senate, the Health and Human Services Committees of both bodies, and the Joint Fiscal Committee. The bill appropriates the additional sums of \$3,000,000 to the governor's commission for contracts for program services, \$2,000,000 for funding supportive housing projects for persons with substance abuse disorders in fiscal year ending June 30, 2017. The bill appropriates \$20,830 for fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30 2017 to the department of justice for an additional assistant attorney general to prosecute drug cases. All sums appropriated will come from excess appropriations. Vote 18-0.

#### **Amendment (1356h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Amend the bill by replacing section 10 with the following:

10 Supplemental Appropriation for Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Supplemental Appropriation for Supportive Housing Projects for Persons with Substance Abuse Disorders.

I. In addition to any other sums appropriated for fiscal year 2017, \$3,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services. Additionally, \$2,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the appropriated funds are used for the purpose of funding supportive housing projects for persons with substance abuse disorders. The New Hampshire housing finance authority shall prepare a report on the status of projects funded, in whole or in part, by this appropriation to be delivered to the house health and human services and elderly affairs committee by December 31, 2017 and annually thereafter until the appropriated funds have been fully allocated.

II. For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

Amend the bill by replacing all after section 11 with the following:

12 Health and Human Services; Prevention Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2988 by inserting a class note immediately following such accounting unit as follows:

**CLASS NOTE**

102 F. This appropriation shall not lapse until June 30, 2017.

13 Health and Human Services; Clinical Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2990 by inserting a class note immediately following such accounting unit as follows:

**CLASS NOTE**

102 F. This appropriation shall not lapse until June 30, 2017.

14 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Dan McGuire spoke against.

The Speaker ruled the debate by Rep. Dan McGuire out of order.

Rep. Weber spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 235 NAYS 109**

**YEAS - 235****BELKNAP**

Dumais, Russell	Fields, Dennis	Flanders, Donald	Gallagher, Brian
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**CARROLL**

Butler, Edward	Chandler, Gene	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Hennessey, Erin	Ford, Susan	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Brown, Rebecca	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Booras, Efstathia	Byron, Frank
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Flanagan, Jack
Forest, Armand	Freitas, Mary	Smith, Gregory	Gagne, Mary
Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gorman, Larry
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hopper, Gary
Infantine, William	Belanger, James	Jack, Martin	Jeudy, Jean
Rice, Kimberly	Kurk, Neal	LeBrun, Donald	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Murotake, David
Long, Patrick	McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert

Shattuck, Gilman  
Straight, Phillip  
Woodbury, David

Shaw, Barbara  
Vann, Ivy

Snow, Kendall  
Williams, Kermit

Soucy, Timothy  
Wolf, Terry

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Chirichiello, Brian  
DiFranco, Debbie  
Rice, Frederick  
Ward, Gerald  
Hoelzel, Kathleen  
Kolodziej, Walter  
Manning, John  
Milz, David  
Peckham, Michele  
Tilton, Rio  
Tucker, Pamela

Abramson, Max  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Sherman, Thomas  
Webb, James

Azarian, Gary  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Edgar, Michael  
Francesse, Paula  
Hagan, Joseph  
Ward, Joanne  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Simpson, Alexis  
Welch, David

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Elliott, Robert  
Friel, William  
Heffron, Frank  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Belanger, Ronald  
Sytek, John  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Smith, Marjorie  
Spang, Judith

Berube, Roger  
Cheney, Catherine  
Hannon, Joseph  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Cilley, Jacalyn  
Horriggan, Timothy  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
Gardner, Janice  
Ward, Kenneth  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
O'Hearne, Andrew

### NAYS - 109

#### BELKNAP

Aldrich, Glen  
LeBreche, Shari  
Vadney, Herbert

Tilton, Franklin  
Spanos, Peter

Howard, Raymond  
Sylvia, Michael

Hurt, George  
Fraser, Valerie

### CARROLL

Avellani, Lino  
McCarthy, Frank

Buco, Thomas

Comeau, Ed

Cordelli, Glenn

### CHESHIRE

McConnell, James

### COOS

Rideout, Leon

### GRAFTON

Bailey, Brad  
Gionet, Edmond

Brown, Duane  
Hull, Robert

Darrow, Stephen  
Shackett, Jeffrey

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Coffey, James	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gould, Linda	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Christiansen, Lars	Ober, Lynne	Lachance, Joseph	Marston, Dick
Martel, Andre	McClarren, Donald	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Christie, Rick
Ober, Russell	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Souza, Kathleen	Stepanek, Stephen	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	O'Brien, William	Zaricki, Nick	

**MERRIMACK**

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	Parent, Jason	Seaworth, Brian

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Thomas, Douglas	Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Kappler, Lawrence	Lundgren, David	McKinney, Betsy	Osborne, Jason
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris
Vose, Michael	Woitkun, Steven		

**STRAFFORD**

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Leeman, Don
Mullen, John	Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

and the committee report was adopted and referred to the Committee on Finance.

**SB 409-FN, relative to the first responder's critical injury benefit. OUGHT TO PASS WITH AMENDMENT.**

Rep. William Infantine for Labor, Industrial and Rehabilitative Services. This bill amends a prior law enacted in 2014 (SB 204, Chapter 242) that created a temporary workers' compensation-type benefit program for first responders injured in the line of duty. The law was temporary to give the legislature time to review this benefit for all workers and not just first responders. The bill that came from the Senate made this temporary benefit permanent even though a thorough study making this benefit for all workers was not completed. The committee amended the bill to continue the benefit for one additional year through June of 2017 and established a study committee made up of three House members and one Senator. Vote 15-1.

**Amendment (1330h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

Amend the bill by replacing all after the enacting clause with the following:

1 First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] 2017. Benefits paid under this section for all claimants shall not exceed \$500,000.

2 Prospective Repeal Extended. Amend 2014, 242:4, I to read as follows:

I. Paragraph I of section 2 of this act shall take effect June 30, [2016] 2017.

### 3 Committee to Study Soft Tissue Injuries for Purposes of Workers' Compensation Established.

I. There is established a committee to study soft tissue injuries for purposes of workers' compensation.

(a) The members of the committee shall be as follows:

(1) One member of the senate, appointed by the president of the senate.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

II. The committee shall study soft tissue injuries for purposes of workers' compensation.

III. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

IV. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

4 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill extends the prospective repeal of the first responder's critical injury benefit. This bill also establishes a committee to study soft tissue injuries for purposes of workers' compensation.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

### **SB 480-FN-A**, relative to the state house visitor's center revolving fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Legislative Administration. Currently, all funds from the special markups on the sale of commemorative bottles are deposited in the Historical Fund for the sole purpose of restoring the Civil War battle flags. Because some important preservation measures such as work on the display cases or preventing ultraviolet light from the windows are not done to the flags themselves, the bill, as amended, broadens the permitted use of markup revenue to allow for the preservation of the Hall of Flags and the battle flags on display there. Secondly, the bill abolishes three special accounts; the Bicentennial Diorama Account, the Historic Flag Restoration Account, and the Flag Restoration and Care Account and consolidates the sums contained in those accounts, along with the remaining sum in the already repealed Civil War Memorials Fund, in the Historical Fund. Finally, the bill as amended provides that sums over \$50,000 in the State House Visitor's Center Revolving Fund on June 30th of any fiscal year shall be deposited in the Historical Fund, instead of the General Fund. Vote 8-0.

### **Amendment (1350h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the historical fund.

Amend the bill by replacing all after the enacting clause with the following:

1 State House Visitor's Center Revolving Fund. Amend RSA 17-E:7 to read as follows:

17-E:7 State House Visitor's Center Revolving Fund. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the state house visitor's center revolving fund which shall be kept separate and distinct from all other funds. The state house visitor's center revolving fund shall be within the oversight of the joint legislative facilities committee established in RSA 17-E:1. Moneys received from the sale of merchandise at the state house visitor's center, including online sales, shall be deposited in such fund and used to purchase merchandise for the visitor's center. The amount in the fund shall not exceed \$50,000 on June 30 of any fiscal year and any moneys in excess of said amount shall be deposited in the ~~[general fund as unrestricted revenue]~~ **historical fund, established in RSA 177:8.**

2 Historical Fund; Preservation of the State House Hall of Flags. Amend RSA 177:8, II to read as follows:

II. All revenue from these special markups shall be reported separately by the commission and, after the cost of the pamphlets is subtracted, shall be credited to the legislative appropriation and kept as a special nonlapsing fund to be known as the historical fund. The historical fund shall be within the

oversight of the joint legislative historical committee established in RSA 17-I:1. No part of the fund shall be transferred or expended for any purpose except by the joint legislative historical committee in carrying out its responsibilities under RSA 17-I. The joint legislative historical committee shall use the revenue from the special markups exclusively for the preservation of ~~[Civil War battle flags displayed at the state house]~~ *the state house hall of flags and the battle flags displayed in the hall of flags.*

3 Department of Administrative Services; Certain Special Legislative Accounts Abolished. The commissioner of administrative services shall abolish the following special accounts and transfer any balance remaining in the accounts as of June 30, 2016 to the historical fund, established in RSA 177:8:

I. The four bicentennial dioramas account (account organization code 1471).

II. The historic flag restoration account (account organization code 1479).

III. The flag restoration and care account (account organization code 1485).

4 Civil War Memorials Fund. On June 30, 2016, any balance remaining in the civil war memorials fund (account organization code 8875), established in RSA 21-K:22 and repealed December 31, 2010, by 2010, 368:1(38), shall be transferred to the historical fund, established in RSA 177:8.

5 Effective Date. This act shall take effect June 30, 2016.

### AMENDED ANALYSIS

This bill:

I. Provides that funds over \$50,000 in the state house visitor's center revolving fund shall be deposited in the historical fund.

II. Directs the joint legislative historical committee to use the funds from special markups on commemorative bottles for the preservation of the state house hall of flags and the battle flags displayed in the hall of flags.

III. Directs the commissioner of administrative services to abolish the bicentennial dioramas account, the historic flag restoration account, and the flag restoration and care account.

IV. Transfers any funds remaining in these accounts and in the civil war memorials fund on June 30, 2016 to the historical fund.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**SB 368-FN-A**, making a capital appropriation for department of environmental services monitoring equipment. **OUGHT TO PASS.**

Rep. Martin Jack for Public Works and Highways. This bill repurposes \$260,000 of the \$600,000 appropriated in HB 25 to purchase land for the Hampton Circuit Court. The funds are available since the land will cost substantially less than appropriated. Under the auspices of the department of environmental services, the bill proposes to use the funds to fill gaps in the state's ability to generate and analyze scientific data in the Great Bay and Hampton Harbor in order to better understand water quality trends and support local and state decision-making. There is a detailed plan for how the funds will be spent, including additional areas of the Great Bay; a pH sensor, and new surface sensors for existing stations, and other items. The location is one of 28 nationally significant sites in the federal estuaries program. Monitoring is done by a formally organized partnership involving UNH and about 200 other stakeholders. Among other issues, it is important to keep the clam and oyster habitats and the eelgrass population vibrant to preserve the estuaries. Because the estuaries are economically significant and can be fragile, and new EPA rules have recently taken effect, it is advisable to take this action outside the normal capital budget cycle. Because the bill repurposes an existing appropriation, there is no impact on total bonded indebtedness. Vote 8-7.

Rep. Porter requested a roll call; sufficiently seconded.

**YEAS 208 NAYS 136**

**YEAS - 208**

**BELKNAP**

Fields, Dennis

Flanders, Donald

**CARROLL**

Buco, Thomas  
Parker, Harold

Butler, Edward  
Ticehurst, Susan

McCarthy, Frank  
Umberger, Karen

McConkey, Mark

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Chase, Cynthia  
Hunt, John  
Pearson, William  
Weber, Lucy

Tilton, Benjamin  
Eaton, Daniel  
Roberts, Kris  
Robertson, Timothy

Berch, Paul  
Emerson, Susan  
Mann, John  
Sad, Tara

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Maes, Kevin  
Brown, Rebecca  
White, Andrew

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Christensen, Chris  
Sullivan, Daniel  
Gargas, Carolyn  
Gould, Linda  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
McCarthy, Peggy  
Pierce, David  
Walsh, Robert  
Shattuck, Gilman  
Souza, Kathleen  
Wolf, Terry

Backus, Robert  
Biggie, Barbara  
Cohen, Alan  
DiSilvestro, Linda  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Jeudy, Jean  
Mangipudi, Latha  
Palmer, Barry  
Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Booras, Efstathia  
Cornell, Patricia  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Christiansen, Lars  
Manley, Jonathan  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

Baroody, Benjamin  
Bouldin, Amanda  
Cote, David  
Freitas, Mary  
Gorman, Mary  
Hansberry, Daniel  
Infantine, William  
Leishman, Peter  
Long, Patrick  
Peterson, Ken  
Christie, Rick  
Seidel, Carl  
Soucy, Timothy  
Williams, Kermit

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Doucette, Fred  
Rice, Frederick  
Friel, William  
Heffron, Frank  
Manning, John  
Peckham, Michele  
Sherman, Thomas  
Woitkun, Steven

Abramson, Max  
Borden, David  
Cushing, Robert  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Ward, Joanne  
McBeath, Rebecca  
Prudhomme-O'Brien, Katherine  
Simpson, Alexis

Azarian, Gary  
Cahill, Michael  
Devine, James  
Elliott, Robert  
Fesh, Robert  
Guthrie, Joseph  
Lovejoy, Patricia  
McKinney, Betsy  
Tilton, Rio  
Tucker, Pamela

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Emerick, J. Tracy  
Francese, Paula  
Hagan, Joseph  
Griffin, Mary  
McMahon, Charles  
Schroadter, Adam  
Webb, James

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Mullen, John  
Spang, Judith  
Whitehouse, Joshua

Berube, Roger  
Cilley, Jacalyn  
Ward, Kenneth  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Gardner, Janice  
Kaen, Naida  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
Gray, James  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 136****BELKNAP**

Aldrich, Glen  
Howard, Raymond  
Sylvia, Michael

Dumais, Russell  
Hurt, George  
Fraser, Valerie

Tilton, Franklin  
LeBreche, Shari  
Vadney, Herbert

Gallagher, Brian  
Spanos, Peter

**CARROLL**

Avellani, Lino  
Crawford, Karel

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn

**CHESHIRE**

McConnell, James

Sterling, Franklin

**COOS**

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Shackett, Jeffrey

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

**HILLSBOROUGH**

Ammon, Keith  
Burt, John  
Eastman, Eric  
Flanagan, Jack  
Halstead, Carolyn  
Hopper, Gary  
Ober, Lynne  
McLean, Mark  
Notter, Jeanine  
Sanborn, Laurie  
Twombly, Timothy  
Zaricki, Nick

Griffin, Barbara  
Byron, Frank  
Edelblut, Frank  
Fromuth, Bart  
Hansen, Peter  
Belanger, James  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Simmons, Tammy  
Ulery, Jordan

Barry, Richard  
Coffey, James  
Estevez, Eric  
Smith, Gregory  
Hinch, Richard  
Rice, Kimberly  
Marston, Dick  
Murotake, David  
Ober, Russell  
Stepanek, Stephen  
Sullivan, Victoria

Boehm, Ralph  
Danielson, David  
Ferreira, Elizabeth  
Gagne, Larry  
Hogan, Edith  
Kurk, Neal  
McClarren, Donald  
Murphy, Keith  
Rouillard, Claire  
Straight, Phillip  
O'Brien, William

**MERRIMACK**

Brewster, Michael  
French, Harold  
Marple, Richard

McGuire, Carol  
Hoell, J.R.  
Martin, John

Long, Douglas  
Horn, Werner  
Parent, Jason

McGuire, Dan  
Kuch, Bill  
Seaworth, Brian

**ROCKINGHAM**

Allen, Mary  
Thomas, Douglas

Baldasaro, Alfred  
Dean-Bailey, Yvonne

Bates, David  
Duarte, Joe

Chirichiello, Brian  
Gannon, William



Green, Dennis  
Sweeney, Joe  
Lundgren, David  
Nigrello, Robert  
Potucek, John  
Sytek, John  
Weyler, Kenneth

Harris, Jeffrey  
Kappler, Lawrence  
Major, Norman  
O'Connor, John  
Belanger, Ronald  
True, Chris

Hodgdon, Bruce  
Katsakiores, Phyllis  
Matthews, Carolyn  
Osborne, Jason  
Gordon, Richard  
Vose, Michael

Hoelzel, Kathleen  
Kolodziej, Walter  
Milz, David  
Packard, Sherman  
Spillane, James  
Welch, David

### STRAFFORD

Beaudoin, Steven  
Hannon, Joseph  
Turcotte, Leonard

Cheney, Catherine  
Jones, Laura  
Leeman, Don

DeLemus, Susan  
Kaczynski, Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

### SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report was adopted and referred to the Committee on Finance.

### **SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. This bill was brought forth from a study committee to provide needed revenue to help maintain OHRV trails in NH. Currently snowmobilers, both club members and non-members, pay at registration a trail maintenance fee of \$30 which is payable to the Department of Resources and Economic Development, Bureau of Trails for the bureau's grant-in-aid program which provides for trail improvement and maintenance. Having good trails is an economic benefit to all of New Hampshire. This bill parallels the snowmobile statute and applies it to OHRV trail users who up until now have had little support for trail maintenance, repair, and construction. The new \$30 user fee attached to the registration fee is the same as is currently applied to snowmobile registrations. These OHRV funds will be administered the same way as with snowmobiles and the Bureau of Trails. Additionally, the bill instructs the Department of Fish and Game, Bureau of Trails, and the NH Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. Vote 17-2.

### **Amendment (1333h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

Amend the bill by replacing all after section 3 with the following:

4 Fish and Game Department; Report on Registration Alternatives. The executive director of the fish and game department shall work in conjunction with the New Hampshire Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. The executive director shall report any findings or recommendations resulting from the study to the president of the senate and the speaker of the house of representatives on or before December 1, 2017.

5 Effective Date.

I. Section 4 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect May 1, 2018.

### **AMENDED ANALYSIS**

This bill establishes an OHRV registration fee for persons who are members of an OHRV club which is reduced \$30 from the increased fee paid by other registrants. The bill also requires the executive director of the fish and game department to report on registration alternatives for OHRV users who do not use organized trail systems.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 262 NAYS 83****YEAS - 262****BELKNAP**

Dumais, Russell  
Fraser, Valerie

Tilton, Franklin

Flanders, Donald

Gallagher, Brian

**CARROLL**

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Nelson, Bill  
Umberger, Karen

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
McConnell, James  
Sad, Tara

Ames, Richard  
Chase, Cynthia  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie

Tilton, Benjamin  
Eaton, Daniel  
Roberts, Kris  
Pearson, William  
Sterling, Franklin

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Ford, Susan  
Hennessey, Martha  
Piper, Wendy  
Sykes, George

Almy, Susan  
Brown, Duane  
Gionet, Edmond  
Maes, Kevin  
Brown, Rebecca  
Townsend, Charles

Bailey, Brad  
Darrow, Stephen  
Higgins, Patricia  
Massimilla, Linda  
Shackett, Jeffrey  
White, Andrew

Bennett, Travis  
Hennessey, Erin  
Ladd, Rick  
Nordgren, Sharon  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Boehm, Ralph  
Cohen, Alan  
Danielson, David  
Forest, Armand  
Gargas, Carolyn  
Gould, Linda  
Hansen, Peter  
Hinch, Richard  
Jeudy, Jean  
LeBrun, Donald  
Long, Patrick  
Peterson, Ken  
Walsh, Robert  
Seidel, Carl  
Soucy, Timothy  
Williams, Kermit

Griffin, Barbara  
Barry, Richard  
Booras, Efstathia  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Gidge, Kenneth  
Guerette, C. Lee  
Harvey, Suzanne  
Hopper, Gary  
Kurk, Neal  
Leishman, Peter  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Straight, Phillip  
Wolf, Terry

Backus, Robert  
Beaulieu, Jane  
Christensen, Chris  
Cote, David  
Eastman, Eric  
Smith, Gregory  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Belanger, James  
Christiansen, Lars  
O'Brien, Michael  
Palmer, Barry  
Porter, Marjorie  
Rouillard, Claire  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Biggie, Barbara  
Coffey, James  
Sullivan, Daniel  
Flanagan, Jack  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Herbert, Christopher  
Jack, Martin  
Ober, Lynne  
Mangipudi, Latha  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Brewster, Michael  
Long, Douglas  
Henle, Paul  
Karrick, David

French, Barbara  
McGuire, Carol  
Doherty, David  
Hirsch, Geoffrey  
Kenison, Linda

Bartlett, Christy  
Rice, Chip  
Ebel, Karen  
Horn, Werner  
Kidder, David

Bradley, Paula  
Carson, Clyde  
Gile, Mary  
Frazer, June  
Kotowski, Frank

Kuch, Bill  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

Luneau, David  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

MacKay, James  
Parent, Jason  
Schuett, Dianne

Martin, John  
Patten, Dick  
Shurtleff, Stephen

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Edgar, Michael  
Ferrante, Beverly  
Guthrie, Joseph  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Manning, John  
McMahon, Charles  
Packard, Sherman  
Belanger, Ronald  
Simpson, Alexis  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Chirichiello, Brian  
Devine, James  
Elliott, Robert  
Francesca, Paula  
Hagan, Joseph  
Ward, Joanne  
Lundgren, David  
Matthews, Carolyn  
Milz, David  
Peckham, Michele  
Tilton, Rio  
Sytek, John  
Woitkun, Steven

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
DiFranco, Debbie  
Emerick, J. Tracy  
Friel, William  
Heffron, Frank  
Katsakiores, Phyllis  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Potucek, John  
Schroadter, Adam  
Webb, James

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
Doucette, Fred  
Rice, Frederick  
Ward, Gerald  
Hodgdon, Bruce  
Kolodziej, Walter  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sherman, Thomas  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Hannon, Joseph  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
Cilley, Jacalyn  
Horrigan, Timothy  
Mullen, John  
Spang, Judith  
Wuelper, Kurt

Bickford, David  
Gardner, Janice  
Ward, Kenneth  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Gray, James  
Kaen, Naida  
Rollo, Deanna  
Treleaven, Susan

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Rollins, Skip

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

### NAYS - 83

### BELKNAP

Aldrich, Glen  
LeBreche, Shari

Fields, Dennis  
Spanos, Peter

Howard, Raymond  
Sylvia, Michael

Hurt, George  
Vadney, Herbert

### CARROLL

Avellani, Lino

Comeau, Ed

McCarthy, Frank

### COOS

Thomas, Yvonne

### GRAFTON

Johnson, Eric

Hull, Robert

### HILLSBOROUGH

Ammon, Keith  
Edelblut, Frank  
Halstead, Carolyn  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Sanborn, Laurie  
Twombly, Timothy  
Zaricki, Nick

Bouldin, Amanda  
Estevez, Eric  
Hogan, Edith  
Manley, Jonathan  
Moore, Josh  
Ohm, Bill  
Simmons, Tammy  
Ulery, Jordan

Burt, John  
Ferreira, Elizabeth  
Infantine, William  
Marston, Dick  
Murotake, David  
Christie, Rick  
Souza, Kathleen  
Sullivan, Victoria

Byron, Frank  
Fromuth, Bart  
Rice, Kimberly  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Stepanek, Stephen  
O'Brien, William

**MERRIMACK**

Turcotte, Alan  
Hoell, J.R.

McGuire, Dan  
Marple, Richard

French, Harold  
Seaworth, Brian

Hill, Gregory

**ROCKINGHAM**

Abramson, Max  
Fesh, Robert  
Sweeney, Joe  
Spillane, James

Baldasaro, Alfred  
Gannon, William  
Kappler, Lawrence  
True, Chris

Bates, David  
Green, Dennis  
Osborne, Jason  
Tucker, Pamela

Duarte, Joe  
Harris, Jeffrey  
Gordon, Richard  
Vose, Michael

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura  
Leeman, Don

Cheney, Catherine  
Kaczynski, Thomas  
Pitre, Joseph

DeLemus, Susan  
Knowles, Robert  
Whitehouse, Joshua

Groen, Warren  
Turcotte, Leonard

**SULLIVAN**

Irwin, Virginia

Laware, Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

**SB 492-FN**, relative to expenditures from the energy efficiency fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill creates close to \$40 million in new energy savings each year. The bill directs the business allocation from the Energy Efficiency Fund to go to rebates for business, thereby driving down electrical costs for our businesses, especially those large energy users. It directs the residential allocation from the Energy Efficiency Fund to support high demand, cost effective energy efficiency programs, all of which are privately managed, award winning statewide programs run by the utilities and overseen by the NH Public Utilities Commission within the so-called CORE docket. Unlike previous proposals, this bill increases money going to low-income weatherization from the current 15% to 35%. This will service over 400 additional low-income renters and homeowners across the state and will cut their household energy bills by up to 30%, allowing them to afford other basic necessities, avoid springtime evictions and foreclosures, and reduce reliance on local welfare. Importantly, the low-income energy efficiency waitlist of over 10,000 households across our state will finally begin to be chipped away at. Hundreds more middle income residential customers falling above the qualification for the low-income program will also receive energy efficiency assistance. Moreover, aging school district and municipal buildings across our state will receive needed upgrades to significantly reduce their energy bills, which directly reduces operating expenses and thereby property tax liability. Finally, our manufacturing sector on the LG electric rate (greater than 1,000-kilowatt demand) will receive an average reduction of \$200 per month. The minority argues we should socialize the residential allocation and give an average of between \$1.30 and \$1.70 per month to every residential customer from the Energy Efficiency Fund, rather than supporting high quality energy efficiency for hundreds of residential households, municipalities, and school districts across the state that are clearly struggling to get their energy bills under control. The majority believes it is a much better return on investment to support hundreds of jobs, provide property tax relief, create about \$40 million in new energy savings each year, and drastically reduce energy and grid demands that drive down prices for all ratepayers. This bill is supported by a wide array of stakeholders, including the Business and Industry Association, the Office of Consumer Advocate (which represents residential ratepayers), NH Legal Assistance which represents low-income residential ratepayers, the NH Municipal Association, and Community Action Programs which provide services to low-income clients across our state. Vote 12-5.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill provides language that duplicates an amendment that the Senate applied to HB 208 last year. It eliminates the ratepayer rebate of \$10 million of Regional Greenhouse Gas Initiative (RGGI) auction proceeds. Instead, it spends those funds to expand energy efficiency projects for low-income residents and local government buildings. This income redistribution will cost the average NH ratepayer \$1.70 per month or \$20 per year. It discourages civic responsibility by allowing towns and school districts

to postpone energy efficiency projects while waiting and hoping for a state grant. It redistributes ratepayer monies to a narrow group of favored recipients. It requires seniors struggling to pay for food and medicine to pay higher electricity costs to support energy efficiency projects for others. The bill rebates funds to commercial/industrial customers at the expense of residential customers. Two local government representatives who testified said that energy efficiency projects in their towns did not lower the local tax rate.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Vose spoke against and yielded to questions.

Rep. Mann spoke in favor and yielded to questions.

### **MOTION TO LAY ON THE TABLE**

Rep. Carol McGuire moved that **SB 492-FN**, relative to expenditures from the energy efficiency fund, be laid on the table.

Rep. Baber requested a roll call; sufficiently seconded.

### **YEAS 189 NAYS 155**

#### **YEAS - 189**

##### **BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Flanders, Donald	Gallagher, Brian	Howard, Raymond	Hurt, George
LeBreche, Shari	Spanos, Peter	Sylvia, Michael	Fraser, Valerie
Vadney, Herbert			

##### **CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
Nelson, Bill	Schmidt, Stephen	Umberger, Karen	

##### **CHESHIRE**

Emerson, Susan	Hunt, John	Roberts, Kris	McConnell, James
Sterling, Franklin			

##### **COOS**

Rideout, Leon	Tholl, John
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##### **GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric	Gionet, Edmond	Hull, Robert	Shackett, Jeffrey

##### **HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Balcom, John
Barry, Richard	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Coffey, James	Danielson, David
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Smith, Gregory	Gagne, Larry
Gould, Linda	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Belanger, James
Rice, Kimberly	Kurk, Neal	Christiansen, Lars	Ober, Lynne
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McClarren, Donald	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	McCarthy, Peggy	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Christie, Rick	Ober, Russell	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Seidel, Carl	Simmons, Tammy	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	O'Brien, William	Wolf, Terry
Zaricki, Nick			

**MERRIMACK**

Turcotte, Alan	Brewster, Michael	McGuire, Carol	Long, Douglas
McGuire, Dan	French, Harold	Hill, Gregory	Hoell, J.R.
Kidder, David	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	Parent, Jason	Seaworth, Brian	Wheeler, Deborah

**ROCKINGHAM**

Abramson, Max	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline	Chirichiello, Brian
Thomas, Douglas	Dean-Bailey, Yvonne	Devine, James	Doucette, Fred
Duarte, Joe	Emerick, J. Tracy	Rice, Frederick	Ferrante, Beverly
Fesh, Robert	Friel, William	Gannon, William	Green, Dennis
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoeizel, Kathleen	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
Milz, David	Nigrello, Robert	O'Connor, John	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Belanger, Ronald	Gordon, Richard
Tilton, Rio	Spillane, James	Sytek, John	True, Chris
Tucker, Pamela	Vose, Michael	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard
Leeman, Don	Mullen, John	Pitre, Joseph	Whitehouse, Joshua
Wuelper, Kurt			

**SULLIVAN**

Laware, Thomas	Rollins, Skip
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**NAYS - 155****CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Parker, Harold	Ticehurst, Susan	

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Mann, John	Parkhurst, Henry	Pearson, William	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Weber, Lucy	

**COOS**

Fothergill, John	Froborg, Alethea	Hatch, William	Moynihn, Wayne
Richardson, Herbert	Theberge, Robert	Thomas, Yvonne	

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Ladd, Rick	Hennessey, Martha
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Brown, Rebecca	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efsthathia
Cohen, Alan	Cornell, Patricia	Cote, David	Sullivan, Daniel
DiSilvestro, Linda	Forest, Armand	Freitas, Mary	Gargas, Carolyn

Gidge, Kenneth  
Harvey, Suzanne  
Infantine, William  
O'Brien, Michael  
Porter, Marjorie  
Shaw, Barbara  
Williams, Kermit

Goley, Jeffrey  
Heath, Mary  
Jack, Martin  
Mangipudi, Latha  
Walsh, Robert  
Snow, Kendall  
Woodbury, David

Gorman, Mary  
Herbert, Christopher  
Jeudy, Jean  
Manley, Jonathan  
Rosenwald, Cindy  
Soucy, Timothy

Hansberry, Daniel  
Hopper, Gary  
Leishman, Peter  
Long, Patrick  
Shattuck, Gilman  
Vann, Ivy

### MERRIMACK

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Horn, Werner  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

French, Barbara  
Carson, Clyde  
Henle, Paul  
Frazer, June  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hess, David  
Karrick, David  
Moffett, Howard  
Saunderson, George

Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kenison, Linda  
Myler, Mel  
Schuett, Dianne

### ROCKINGHAM

Abrami, Patrick  
Cardon, G. Thomas  
Elliott, Robert  
Lovejoy, Patricia  
Peckham, Michele

Berrien, Skip  
Cushing, Robert  
Francesse, Paula  
McBeath, Rebecca  
Sherman, Thomas

Borden, David  
DiFranco, Debbie  
Ward, Gerald  
McMahon, Charles  
Simpson, Alexis

Cahill, Michael  
Edgar, Michael  
Heffron, Frank  
Packard, Sherman

### STRAFFORD

Baber, William  
Gardner, Janice  
Smith, Marjorie  
Spang, Judith

Berube, Roger  
Horriggan, Timothy  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Ward, Kenneth  
Rollo, Deanna  
Treleaven, Susan

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

and the motion was adopted.

Rep. Murotake declared a conflict of interest and did not participate.

### REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 210-FN**, relative to regulation of septic system evaluators.

The Speaker referred **SB 210-FN** to the Committee on Ways and Means.

### REGULAR CALENDAR PART I CONT'D

**SB 510-FN**, relative to parking at state park parking meters. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for the Majority of Transportation. This bill adds a set of restrictions from existing law regarding free parking by state park motor vehicle plate holders. The intent is to end the practice of these plate holders occupying prime parking during peak and weekend times with no limitations or fees, thus allowing more parking for all. A new paragraph does allow the commissioner to assess an increased rate during peak times, however the Fiscal Committee of the General Court can deny such a plan. Vote 14-3.

Rep. Chris True for the Minority of Transportation. The minority feels giving authority to the Commissioner of the Department of Resources and Economic Development to raise rates on weekends and holidays, with approval of the Fiscal Committee, unfairly hits the working man in the wallet. Many working people can only go to the beach on weekends and holidays, and those days may be subject to higher parking fees.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Steven Smith spoke in favor.

Rep. True spoke against and requested a roll call; sufficiently seconded.

## YEAS 246 NAYS 99

### YEAS - 246

#### BELKNAP

Dumais, Russell  
Gallagher, Brian

Tilton, Franklin  
Hurt, George

Fields, Dennis  
Fraser, Valerie

Flanders, Donald  
Vadney, Herbert

#### CARROLL

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Hunt, John  
Pearson, William  
Sterling, Franklin

Ames, Richard  
Eaton, Daniel  
Roberts, Kris  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Mann, John  
Sad, Tara

Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

#### COOS

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

#### GRAFTON

Abel, Richard  
Brown, Duane  
Gionet, Edmond  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

Bennett, Travis  
Hennessey, Erin  
Ladd, Rick  
Piper, Wendy  
Sykes, George

Cooney, Mary  
Ford, Susan  
Hennessey, Martha  
Brown, Rebecca  
Townsend, Charles

#### HILLSBOROUGH

Ammon, Keith  
Baroody, Benjamin  
Booras, Efstathia  
Cohen, Alan  
Edelblut, Frank  
Freitas, Mary  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Ober, Lynne  
Marston, Dick  
Moore, Josh  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Williams, Kermit

Griffin, Barbara  
Barry, Richard  
Byron, Frank  
Cornell, Patricia  
Estevez, Eric  
Fromuth, Bart  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Leishman, Peter  
Martel, Andre  
Murotake, David  
Palmer, Barry  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy  
Wolf, Terry

Backus, Robert  
Beaulieu, Jane  
Christensen, Chris  
Sullivan, Daniel  
Flanagan, Jack  
Gagne, Larry  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
McClarren, Donald  
Ohm, Bill  
Pellegrino, Anthony  
Ober, Russell  
Seidel, Carl  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Biggie, Barbara  
Coffey, James  
DiSilvestro, Linda  
Forest, Armand  
Gidge, Kenneth  
Hansberry, Daniel  
Hinch, Richard  
Christiansen, Lars  
Manley, Jonathan  
McLean, Mark  
Long, Patrick  
Peterson, Ken  
Walsh, Robert  
Shattuck, Gilman  
Sullivan, Victoria  
Zaricki, Nick

#### MERRIMACK

French, Barbara  
Rice, Chip  
Ebel, Karen

Bartlett, Christy  
Carson, Clyde  
Gile, Mary

Bradley, Paula  
Long, Douglas  
French, Harold

McGuire, Carol  
Doherty, David  
Henle, Paul



Hess, David  
Karrick, David  
Luneau, David  
Parent, Jason  
Schuett, Dianne

Hill, Gregory  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Shurtleff, Stephen

Hirsch, Geoffrey  
Kidder, David  
Martin, John  
Rogers, Katherine  
Wallner, Mary Jane

Horn, Werner  
Kotowski, Frank  
Moffett, Howard  
Saunderson, George

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Chirichiello, Brian  
DiFranco, Debbie  
Elliott, Robert  
Fesh, Robert  
Hagan, Joseph  
Ward, Joanne  
Griffin, Mary  
McKinney, Betsy  
Packard, Sherman  
Tilton, Rio  
Sytek, John  
Woitkun, Steven

Allen, Mary  
Borden, David  
Cushing, Robert  
Doucette, Fred  
Emerick, J. Tracy  
Francesse, Paula  
Heffron, Frank  
Katsakiores, Phyllis  
Major, Norman  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Webb, James

Azarian, Gary  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
Duarte, Joe  
Rice, Frederick  
Friel, William  
Hoelzel, Kathleen  
Kolodziej, Walter  
Manning, John  
Nigrello, Robert  
Potucek, John  
Sherman, Thomas  
Welch, David

Barnes, Arthur  
Cardon, G. Thomas  
Devine, James  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Sweeney, Joe  
Lovejoy, Patricia  
Matthews, Carolyn  
O'Connor, John  
Belanger, Ronald  
Simpson, Alexis  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Cheney, Catherine  
Ward, Kenneth  
Mullen, John  
Spang, Judith

Berube, Roger  
Cilley, Jacalyn  
Kaen, Naida  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Gardner, Janice  
Turcotte, Leonard  
Pitre, Joseph  
Treleaven, Susan

Bixby, Peter  
Gray, James  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

### NAYS - 99

### BELKNAP

Aldrich, Glen  
Sylvia, Michael

Howard, Raymond

LeBreche, Shari

Spanos, Peter

### CARROLL

Avellani, Lino  
Ticehurst, Susan

Buco, Thomas

Cordelli, Glenn

McCarthy, Frank

### CHESHIRE

Tilton, Benjamin

McConnell, James

### COOS

Rideout, Leon

Theberge, Robert

### GRAFTON

Bailey, Brad

Johnson, Eric

Hull, Robert

Massimilla, Linda

### HILLSBOROUGH

Adams, Christopher  
Danielson, David  
Gorman, Mary  
Hogan, Edith  
Rice, Kimberly  
Murphy, Keith

Boehm, Ralph  
Eastman, Eric  
Gould, Linda  
Hopper, Gary  
Lachance, Joseph  
Notter, Jeanine

Burt, John  
Ferreira, Elizabeth  
Halstead, Carolyn  
Infantine, William  
LeBrun, Donald  
Proulx, Mark

Cote, David  
Smith, Gregory  
Hansen, Peter  
Belanger, James  
O'Brien, Michael  
Christie, Rick

Rouillard, Claire  
Souza, Kathleen  
Ulery, Jordan

Sanborn, Laurie  
Stepanek, Stephen  
Vann, Ivy

Simmons, Tammy  
Straight, Phillip  
O'Brien, William

Snow, Kendall  
Twombly, Timothy

### MERRIMACK

Turcotte, Alan  
Hoell, J.R.  
Myler, Mel

Alicea, Caroletta  
Frazer, June  
Seaworth, Brian

Brewster, Michael  
Kuch, Bill  
Wheeler, Deborah

McGuire, Dan  
Marple, Richard

### ROCKINGHAM

Abramson, Max  
Dean-Bailey, Yvonne  
Harris, Jeffrey  
McBeath, Rebecca  
Gordon, Richard  
Vose, Michael

Baldasaro, Alfred  
Gannon, William  
Hodgdon, Bruce  
McMahon, Charles  
Spillane, James

Bates, David  
Green, Dennis  
Kappler, Lawrence  
Osborne, Jason  
True, Chris

Cahill, Michael  
Guthrie, Joseph  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Hannon, Joseph  
Knowles, Robert  
Wuelper, Kurt

Burton, Wayne  
Horrigan, Timothy  
Leeman, Don

DeLemus, Susan  
Jones, Laura  
Rollo, Deanna

Groen, Warren  
Kaczynski, Thomas  
Whitehouse, Joshua

### SULLIVAN

O'Hearne, Andrew

and the majority committee report was adopted and referred to the Committee on Ways and Means.

**SB 444-FN**, relative to lottery retailer incentive awards. **OUGHT TO PASS.**

Rep. Bill Ohm for Ways and Means. The advent of large lottery jackpots has caused neighboring states to increase their seller incentives to promote sales. Awards of \$75,000 to \$100,000 for selling a winning ticket are now commonplace. New Hampshire currently caps the incentive at \$30,000. This bill would increase the cap to \$75,000 for an event likely to occur no more than once every year or two. Vote 20-0.

Committee report adopted and referred to the Committee on Finance.

### SENATE MESSAGES

#### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Amendment printed SJ 4/14/16)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

### REGULAR CALENDAR - PART II

**SB 509-FN**, relative to voter registration forms and relative to voter identity verification. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for the Majority of Election Law. This bill incorporates changes to the Voter Registration form including the removal of existing wording requiring compliance with motor vehicle laws. The second section of this bill, as amended, changes the procedure for investigating voters who did not confirm their status after being sent a letter of identity verification. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. As justification for this change to the law it was reported that, over the course of several elections, a "large" number of voter identification letters have accumulated in the office of the NH Secretary of State. Under the current law, it is the duty of the Attorney General's (AG's) Office to investigate these returned letters, and determine whether any voter fraud has occurred. The AG's Office states that it does not have the available staff or budget to enable the process of investigation to be completed. This bill proposes to expand the power of investigation from the AG's Office to the Secretary of State and to town clerks and checklist supervisors. It would become the duty of the town clerks and checklist supervisors to undertake the time and effort to scrutinize the letters and investigate the circumstances, and then compile a "list" of "not...legal voters." The bill's fis-

cal note states that it would require additional staff time at the local level and could result in increased local expenditures. Even with this downshifting of investigation expenses to the local towns and cities, the Department of Justice further anticipates that some “temporary full-time” investigators and paralegals would be needed to implement the bill, at a cost to the department of at least \$167,000.00 per year. Over the years, the department’s regular reports with respect the investigation of verifying letter has rarely if ever exposed any voter fraud. This bill downshifts unnecessary and burdensome state expenses onto cities and towns. It is opposed by the New Hampshire City and Town Clerks’ Association. It creates expenses and personnel requirement upon the Department of Justice with no appropriations therefore, and no explanation as to the source of funding for the cities and towns.

**Majority Amendment (1317h)**

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from city and town clerks and supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general for investigation.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Ohm offered floor amendment (1478h).

**Floor Amendment (1478h)**

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from the supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general who shall cause an investigation to be made to determine whether fraudulent voting occurred.

Rep. Ohm spoke in favor.

Rep. Moynihan spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 173    NAYS 125**

**YEAS - 173**

**BELKNAP**

Tilton, Franklin	Fields, Dennis	Flanders, Donald	Gallagher, Brian
Howard, Raymond	Hurt, George	LeBreche, Shari	Spanos, Peter
Fraser, Valerie	Vadney, Herbert		

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Schmidt, Stephen

**CHESHIRE**

Emerson, Susan	Hunt, John	McConnell, James	Sterling, Franklin
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**COOS**

Richardson, Herbert	Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric	Gionet, Edmond	Hull, Robert	Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
 Biggie, Barbara  
 Christensen, Chris  
 Edelblut, Frank  
 Smith, Gregory  
 Haefner, Robert  
 Hopper, Gary  
 LeBrun, Donald  
 Murotake, David  
 Palmer, Barry  
 Rouillard, Claire  
 Simmons, Tammy  
 Ulerly, Jordan

Ammon, Keith  
 Boehm, Ralph  
 Coffey, James  
 Estevez, Eric  
 Gagne, Larry  
 Halstead, Carolyn  
 Rice, Kimberly  
 McClarren, Donald  
 Murphy, Keith  
 Peterson, Ken  
 Rowe, Robert  
 Straight, Phillip  
 Sullivan, Victoria

Griffin, Barbara  
 Burt, John  
 Danielson, David  
 Ferreira, Elizabeth  
 Gargas, Carolyn  
 Hansen, Peter  
 Kurk, Neal  
 McLean, Mark  
 Notter, Jeanine  
 Proulx, Mark  
 Sanborn, Laurie  
 Takesian, Charlene  
 Zaricki, Nick

Balcom, John  
 Byron, Frank  
 Eastman, Eric  
 Fromuth, Bart  
 Gould, Linda  
 Hinch, Richard  
 Christiansen, Lars  
 Moore, Josh  
 Ohm, Bill  
 Christie, Rick  
 Seidel, Carl  
 Twombly, Timothy

**MERRIMACK**

Brewster, Michael  
 Hill, Gregory  
 Kuch, Bill  
 Seaworth, Brian

McGuire, Carol  
 Hoell, J.R.  
 Marple, Richard

Long, Douglas  
 Horn, Werner  
 Martin, John

McGuire, Dan  
 Kotowski, Frank  
 Parent, Jason

**ROCKINGHAM**

Abrami, Patrick  
 Baldasaro, Alfred  
 Chirichello, Brian  
 Doucette, Fred  
 Rice, Frederick  
 Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Gordon, Richard  
 Sytek, John  
 Webb, James

Abramson, Max  
 Barnes, Arthur  
 Thomas, Douglas  
 Duarte, Joe  
 Fesh, Robert  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Manning, John  
 Nigrello, Robert  
 Peckham, Michele  
 Tilton, Rio  
 True, Chris  
 Welch, David

Allen, Mary  
 Bates, David  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Friel, William  
 Hagan, Joseph  
 Sweeney, Joe  
 Kolodziej, Walter  
 Matthews, Carolyn  
 O'Connor, John  
 Potucek, John  
 Schroadter, Adam  
 Tucker, Pamela  
 Weyler, Kenneth

Azarian, Gary  
 Cardon, G. Thomas  
 Devine, James  
 Emerick, J. Tracy  
 Gannon, William  
 Harris, Jeffrey  
 Ward, Joanne  
 Griffin, Mary  
 McMahon, Charles  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Spillane, James  
 Vose, Michael  
 Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Thomas  
 Mullen, John

Bickford, David  
 Groen, Warren  
 Knowles, Robert  
 Pitre, Joseph

Cheney, Catherine  
 Hannon, Joseph  
 Turcotte, Leonard  
 Whitehouse, Joshua

DeLemus, Susan  
 Jones, Laura  
 Leeman, Don  
 Wuelper, Kurt

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 125****CARROLL**

Butler, Edward

Crawford, Karel

Parker, Harold

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Bordenet, John  
 Roberts, Kris  
 Robertson, Timothy

Ames, Richard  
 Chase, Cynthia  
 Mann, John  
 Sad, Tara

Tilton, Benjamin  
 Eaton, Daniel  
 Parkhurst, Henry  
 Weber, Lucy

Berch, Paul  
 Johnsen, Gladys  
 Pearson, William

**COOS**

Fothergill, John  
 Theberge, Robert

Froburg, Alethea

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Maes, Kevin  
Brown, Rebecca  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Forest, Armand  
Hansberry, Daniel  
Belanger, James  
Manley, Jonathan  
Porter, Marjorie  
Vann, Ivy

Beaulieu, Jane  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Long, Patrick  
Walsh, Robert  
Williams, Kermit

Cohen, Alan  
Gorman, Mary  
Herbert, Christopher  
Judy, Jean  
Pellegrino, Anthony  
Shattuck, Gilman  
Woodbury, David

Cote, David  
Guerette, C. Lee  
Hogan, Edith  
Leishman, Peter  
Pierce, David  
Shaw, Barbara

**MERRIMACK**

Turcotte, Alan  
Rice, Chip  
French, Harold  
Karrick, David  
Patten, Dick  
Shurtleff, Stephen

Alicea, Caroletta  
Carson, Clyde  
Henle, Paul  
Kenison, Linda  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

Bradley, Paula  
Gile, Mary  
Frazer, June  
Moffett, Howard  
Schuett, Dianne

**ROCKINGHAM**

Borden, David  
DiFranco, Debbie  
Heffron, Frank  
Sherman, Thomas

Cahill, Michael  
Edgar, Michael  
McBeath, Rebecca  
Simpson, Alexis

Cali-Pitts, Jacqueline  
Francese, Paula  
McKinney, Betsy

Cushing, Robert  
Ward, Gerald  
Belanger, Ronald

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Sprague, Dale

Berube, Roger  
Gardner, Janice  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Horrigan, Timothy  
Rollo, Deanna

Burton, Wayne  
Ward, Kenneth  
Southworth, Thomas

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
and floor amendment (1478h) was adopted.

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Heame, Andrew

Gagnon, Raymond

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Gray spoke in favor.

Rep. Moynihan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 194    NAYS 133**

**YEAS - 194****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Howard, Raymond  
Fraser, Valerie

Fields, Dennis  
Hurt, George  
Vadney, Herbert

Flanders, Donald  
LeBreche, Shari

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank

Comeau, Ed  
McConkey, Mark

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Emerson, Susan  
Sterling, Franklin

Hunt, John

Roberts, Kris

McConnell, James

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**Bailey, Brad  
Johnson, Eric  
Shackett, JeffreyBrown, Duane  
Gionet, EdmondDarrow, Stephen  
Hull, RobertHennessey, Erin  
Ladd, Rick**HILLSBOROUGH**Adams, Christopher  
Barry, Richard  
Byron, Frank  
Eastman, Eric  
Forest, Armand  
Gargas, Carolyn  
Halstead, Carolyn  
Hopper, Gary  
Christiansen, Lars  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Souza, Kathleen  
Sullivan, VictoriaAmmon, Keith  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Fromuth, Bart  
Gidge, Kenneth  
Hansen, Peter  
Belanger, James  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Peterson, Ken  
Ober, Russell  
Scontsas, Lisa  
Straight, Phillip  
Wolf, TerryGriffin, Barbara  
Boehm, Ralph  
Coffey, James  
Estevez, Eric  
Smith, Gregory  
Gould, Linda  
Hinch, Richard  
Rice, Kimberly  
LeBrun, Donald  
Murotake, David  
McCarthy, Peggy  
Pierce, David  
Rouillard, Claire  
Seidel, Carl  
Twombly, Timothy  
Zaricki, NickBalcom, John  
Burt, John  
Danielson, David  
Ferreira, Elizabeth  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
Kurk, Neal  
McClarren, Donald  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Simmons, Tammy  
Ulery, Jordan**MERRIMACK**Brewster, Michael  
French, Harold  
Horn, Werner  
Martin, JohnMcGuire, Carol  
Hess, David  
Kotowski, Frank  
Parent, JasonLong, Douglas  
Hill, Gregory  
Kuch, Bill  
Seaworth, BrianMcGuire, Dan  
Hoell, J.R.  
Marple, Richard**ROCKINGHAM**Abrami, Patrick  
Baldasaro, Alfred  
Chirichiello, Brian  
Doucette, Fred  
Rice, Frederick  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Tilton, Rio  
True, Chris  
Welch, DavidAbramson, Max  
Barnes, Arthur  
Thomas, Douglas  
Duarte, Joe  
Fesh, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Schroadter, Adam  
Tucker, Pamela  
Weyler, KennethAllen, Mary  
Bates, David  
Dean-Bailey, Yvonne  
Elliott, Robert  
Friel, William  
Hagan, Joseph  
Sweeney, Joe  
Kolodziej, Walter  
Manning, John  
Milz, David  
Packard, Sherman  
Belanger, Ronald  
Spillane, James  
Vose, Michael  
Woitkun, StevenAzarian, Gary  
Cardon, G. Thomas  
Devine, James  
Emerick, J. Tracy  
Gannon, William  
Harris, Jeffrey  
Ward, Joanne  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Gordon, Richard  
Sytek, John  
Webb, James**STRAFFORD**Beaudoin, Steven  
Gray, James  
Kaczynski, Thomas  
Mullen, JohnBickford, David  
Groen, Warren  
Knowles, Robert  
Pitre, JosephCheney, Catherine  
Hannon, Joseph  
Turcotte, Leonard  
Whitehouse, JoshuaDeLemus, Susan  
Jones, Laura  
Leeman, Don  
Wuelper, Kurt**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS - 133****CARROLL**

Butler, Edward

Parker, Harold

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael

Ames, Richard

Tilton, Benjamin

Berch, Paul

Bordenet, John

Chase, Cynthia

Eaton, Daniel

Johnsen, Gladys

Mann, John

Parkhurst, Henry

Pearson, William

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Weber, Lucy

**COOS**

Froburg, Alethea

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard

Almy, Susan

Bennett, Travis

Cooney, Mary

Ford, Susan

Higgins, Patricia

Hennessey, Martha

Maes, Kevin

Massimilla, Linda

Nordgren, Sharon

Piper, Wendy

Brown, Rebecca

Smith, Suzanne

Sykes, George

Townsend, Charles

White, Andrew

**HILLSBOROUGH**

Backus, Robert

Baroody, Benjamin

Beaulieu, Jane

Booras, Efstathia

Cohen, Alan

Cornell, Patricia

Cote, David

Sullivan, Daniel

DiSilvestro, Linda

Freitas, Mary

Goley, Jeffrey

Gorman, Mary

Guerette, C. Lee

Hansberry, Daniel

Harvey, Suzanne

Heath, Mary

Herbert, Christopher

Jack, Martin

Judy, Jean

Leishman, Peter

O'Brien, Michael

Mangipudi, Latha

Manley, Jonathan

Long, Patrick

Porter, Marjorie

Walsh, Robert

Rosenwald, Cindy

Shattuck, Gilman

Shaw, Barbara

Soucy, Timothy

Takesian, Charlene

Vann, Ivy

Williams, Kermit

Woodbury, David

**MERRIMACK**

Turcotte, Alan

Alicia, Caroletta

Bartlett, Christy

Bradley, Paula

Rice, Chip

Carson, Clyde

Doherty, David

Gile, Mary

Henle, Paul

Hirsch, Geoffrey

Frazer, June

Karrick, David

Kenison, Linda

MacKay, James

Moffett, Howard

Patten, Dick

Rogers, Katherine

Saunderson, George

Schuett, Dianne

Shurtleff, Stephen

Wallner, Mary Jane

Wheeler, Deborah

**ROCKINGHAM**

Berrien, Skip

Borden, David

Cahill, Michael

Cushing, Robert

DiFranco, Debbie

Edgar, Michael

Francese, Paula

Ward, Gerald

Heffron, Frank

Lovejoy, Patricia

McBeath, Rebecca

Sherman, Thomas

Simpson, Alexis

**STRAFFORD**

Baber, William

Berube, Roger

Bixby, Peter

Burton, Wayne

Cilley, Jacalyn

Gardner, Janice

Horrigan, Timothy

Ward, Kenneth

Kaen, Naida

Smith, Marjorie

Schmidt, Peter

Rollo, Deanna

Southworth, Thomas

Spang, Judith

Sprague, Dale

Treleaven, Susan

Wall, Janet

**SULLIVAN**

Schmidt, Andrew

Cloutier, John

Converse, Larry

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

Laware, Thomas

O'Hearne, Andrew

Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

**YEAS 205    NAYS 99****YEAS - 205****BELKNAP**

Dumais, Russell  
Russell, David

Fields, Dennis  
Tilton, Franklin

Flanders, Donald

Gallagher, Brian

**CARROLL**

Butler, Edward  
Schmidt, Stephen

McCarthy, Frank  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

Parker, Harold

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Tatro, Bruce

Ames, Richard  
Hunt, John  
Pearson, William  
Tilton, Benjamin

Berch, Paul  
Johnsen, Gladys  
Sad, Tara  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Johnson, Eric  
Sykes, George

Almy, Susan  
Hennessey, Erin  
Ladd, Rick  
White, Andrew

Cooney, Mary  
Hennessey, Martha  
Massimilla, Linda

Darrow, Stephen  
Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Beaulieu, Jane  
Christensen, Chris  
Cote, David  
Gagne, Larry  
Griffin, Barbara  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
O'Brien, Michael  
Porter, Marjorie  
Rouillard, Claire  
Shaw, Barbara  
Soucy, Timothy  
Vann, Ivy

Balcom, John  
Biggie, Barbara  
Christiansen, Lars  
Donovan, Daniel  
Gidge, Kenneth  
Haefner, Robert  
Infantine, William  
Leishman, Peter  
Marston, Dick  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Smith, Gregory  
Sullivan, Daniel  
Walsh, Robert

Baroody, Benjamin  
Brown, Pamela  
Cohen, Alan  
Edelblut, Frank  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Long, Patrick  
McCarthy, Peggy  
Peterson, Ken  
Roberts, Carol  
Seidel, Carl  
Smith, Timothy  
Sullivan, Victoria  
Wolf, Terry

Barry, Richard  
Byron, Frank  
Cornell, Patricia  
Freitas, Mary  
Gorman, Mary  
Heath, Mary  
Judy, Jean  
Mangipudi, Latha  
McNamara, Richard  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Snow, Kendall  
Takesian, Charlene

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Karrick, David  
MacKay, James  
Rice, Chip  
Turcotte, Alan

Bartlett, Christy  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
Martin, John  
Saunderson, George  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Hess, David  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne

Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Abrami, Patrick  
Borden, David  
Chase, Francis  
DeSimone, Debra  
Ferrante, Beverly

Azarian, Gary  
Cahill, Michael  
Christie, Andrew  
Devine, James  
Francese, Paula

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cook, Allen  
DiFranco, Debbie  
Friel, William

Berrien, Skip  
Cardon, G. Thomas  
Cushing, Robert  
Doucette, Fred  
Gordon, Pamela



Green, Dennis  
 Hoelzel, Kathleen  
 Matthews, Carolyn  
 Nigrello, Robert  
 Peckham, Michele  
 Sweeney, Joe  
 Webb, James

Griffin, Mary  
 Katsakiores, Phyllis  
 McBeath, Rebecca  
 O'Connor, John  
 Potucek, John  
 Sytek, John  
 Welch, David

Harris, Jeffrey  
 Kolodziej, Walter  
 McKinney, Betsy  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Ward, Gerald  
 Weyler, Kenneth

Heffron, Frank  
 Lovejoy, Patricia  
 Milz, David  
 Pantelakos, Laura  
 Simpson, Alexis  
 Ward, Joanne

### STRAFFORD

Baber, William  
 DiSesa, Len  
 Schmidt, Peter  
 Sprague, Dale

Bickford, David  
 Gray, James  
 Smith, Marjorie  
 Stevens, Audrey

Bixby, Peter  
 Horrigan, Timothy  
 Southworth, Thomas  
 Treleven, Susan

Burton, Wayne  
 Leeman, Don  
 Spang, Judith  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 Oxenham, Lee

Gottling, Suzanne  
 Rollins, Skip

Grenier, James  
 Schmidt, Andrew

### NAYS - 99

### BELKNAP

Aldrich, Glen  
 LeBreche, Shari

Fraser, Valerie  
 Spanos, Peter

Howard, Jr., Raymond  
 Sylvia, Michael

Hurt, George  
 Vadney, Herbert

### CARROLL

Avellani, Lino  
 Nelson, Bill

Buco, Thomas  
 Wright, Ted

Comeau, Ed

Cordelli, Glenn

### CHESHIRE

McConnell, James

Robertson, Timothy

### COOS

Rideout, Leon

Thomas, Yvonne

### GRAFTON

Bailey, Brad  
 Maes, Kevin

Gionet, Edmond  
 Townsend, Charles

Hull, Robert

Ingbretson, Paul

### HILLSBOROUGH

Adams, Christopher  
 Burt, John  
 Eastman, Eric  
 Gould, Linda  
 Hopper, Gary  
 Murotake, David  
 Parison, James  
 Simmons, Tammy

Ammon, Keith  
 Christie, Rick  
 Edwards, Elizabeth  
 Guerette, C. Lee  
 Lachance, Joseph  
 Murphy, Keith  
 Pellegrino, Anthony  
 Sweeney, Shawn

Belanger, James  
 Coffey, James  
 Estevez, Eric  
 Hansen, Peter  
 McLean, Mark  
 Notter, Jeanine  
 Rice, Kimberly  
 Twombly, Timothy

Boehm, Ralph  
 Danielson, David  
 Ferreira, Elizabeth  
 Hogan, Edith  
 Moore, Josh  
 Ohm, Bill  
 Sanborn, Laurie  
 Ulery, Jordan

### MERRIMACK

French, Harold  
 Kuch, Bill  
 McGuire, Dan

Hill, Gregory  
 Long, Douglas  
 Seaworth, Brian

Hoell, J.R.  
 Marple, Richard

Horn, Werner  
 McGuire, Carol

### ROCKINGHAM

Abramson, Max  
 Chirichiello, Brian  
 Gannon, William  
 Osborne, Jason  
 Thomas, Douglas

Baldasaro, Alfred  
 Dean-Bailey, Yvonne  
 Hodgdon, Bruce  
 Rice, Frederick  
 Tilton, Rio

Bates, David  
 Duarte, Joe  
 Itse, Daniel  
 Schroadter, Adam  
 True, Chris

Bush, Carol  
 Emerick, J. Tracy  
 Kappler, Lawrence  
 Spillane, James  
 Vose, Michael

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Pitre, Joseph

Cheney, Catherine  
Jones, Laura  
Turcotte, Leonard

Graham, Robert  
Kaczynski, Jr., Thomas  
Wuelper, Kurt

Groen, Warren  
Mullen, John

**SULLIVAN**

Converse, Larry  
and the majority committee report was adopted.

**HB 1552-FN, extending the penalty of death to acts of terrorism and civil rights offenses. INEXPEDIENT TO LEGISLATE.**

Rep. Shawn Sweeney for Criminal Justice and Public Safety. This bill would grow NH's relatively narrow death penalty law to be one of the broadest in the country by adding an expansive definition of "weapon of mass destruction" to include nearly any weapon, device, or drug, and expanding the class of victims to include any person enjoying a right or privilege protected by the constitution (i.e. life.) Not recommending passage of this bill still leaves in place NH's death penalty statute for a list of heinous acts against vulnerable victims and law enforcement. Vote 11-4.  
Committee report adopted.

**HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person. OUGHT TO PASS WITH AMENDMENT.**

Rep. John Martin for Criminal Justice and Public Safety. This bill as amended establishes penalties for offenses involving shining a laser pointing device at an aircraft or vessel, or at another person. The committee heard testimony from an active multi-engine aircraft pilot who described the experience of being illuminated on landing approach and explained the even greater dangers from the potential blinding of a lone pilot in a multi-engine cargo plane, or even a smaller private aircraft. This is a dangerous practice that has even occurred in New Hampshire and the perpetrators are difficult to locate from a fast moving aircraft. Previously, the only recourse was to notify federal authorities who would not be in a position to respond quickly. The bill also exempts the legal use of lasers used in training classes, construction sites, medical personnel, and law enforcement. Vote 13-0.

**Amendment (0252h)**

Amend the bill by replacing section 1 with the following:

1 Assault and Related Offenses; Conduct Involving Laser Pointing Devices. Amend RSA 631:3-a to read as follows:

631:3-a Conduct Involving Laser Pointing Devices.

I.(a) Any person who knowingly shines the beam of a laser pointing device at an occupied motor vehicle, *vessel, or window*, or *at a* person shall be guilty of a violation *and* the laser pointing device shall be *seized and* forfeited upon conviction.

*(b) Any person who knowingly shines the beam of a laser pointing device at an occupied aircraft shall be guilty of a misdemeanor and the laser pointing device shall be seized and forfeited upon conviction.*

II. ~~[Notwithstanding the provisions of paragraph I,]~~ Any person who knowingly shines the beam of a laser pointing device at a law enforcement officer or law enforcement vehicle shall be guilty of a class A misdemeanor and the laser pointing device shall be *seized and* forfeited upon conviction.

III. It shall be an affirmative defense under this section if the laser pointing device was used in an organized meeting or training class by the instructor or speaker. Nothing in this section shall be construed so as to limit the use of medical lasers by qualified medical personnel, or construction lasers used by construction personnel *in the course of their work*, or laser devices utilized by law enforcement personnel in the performance of their official duties.

**AMENDED ANALYSIS**

This bill establishes penalties for offenses involving shining a laser pointing device at an aircraft or vessel, or at another person.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1600-FN**, prohibiting the possession of a flame thrower. **INEXPEDIENT TO LEGISLATE.** Rep. David Welch for Criminal Justice and Public Safety. This bill would prohibit the use or possession of a flame throwing device. The penalty for such action would be a class B misdemeanor. The only entity that could use or possess such a device would be a firefighter employed by a fire department or fire fighting agency of the federal, state or municipality. There have been no reported incidents in the State of NH involving flame throwing so the committee voted unanimously to ITL the bill. Vote 12-0. Rep. Burt requested a roll call; sufficiently seconded.

### YEAS 294 NAYS 10

#### YEAS - 294

##### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Russell, David	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

##### CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

##### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Hunt, John	Johnsen, Gladys	Ley, Douglas	Mann, John
McConnell, James	Pearson, William	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

##### COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Rideout, Leon
Theberge, Robert	Tholl, John	Thomas, Yvonne	

##### GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Ingbreton, Paul
Johnson, Eric	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

##### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Baroody, Benjamin	Barry, Richard	Beaulieu, Jane	Belanger, James
Biggie, Barbara	Boehm, Ralph	Brown, Pamela	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Freitas, Mary
Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Gould, Linda	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Jack, Martin
Jeudy, Jean	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Marston, Dick	McCarthy, Peggy
McLean, Mark	McNamara, Richard	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, Michael	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Proulx, Mark	Roberts, Carol

Rosenwald, Cindy  
Seidel, Carl  
Smith, Gregory  
Sullivan, Daniel  
Twombly, Timothy  
Wolf, Terry

Rouillard, Claire  
Shattuck, Gilman  
Smith, Timothy  
Sullivan, Victoria  
Ulery, Jordan

Rowe, Robert  
Shaw, Barbara  
Snow, Kendall  
Sweeney, Shawn  
Vann, Ivy

Sanborn, Laurie  
Simmons, Tammy  
Soucy, Timothy  
Takesian, Charlene  
Walsh, Robert

### MERRIMACK

Alicea, Caroletta  
Doherty, David  
French, Harold  
Hirsch, Geoffrey  
Kenison, Linda  
Luneau, David  
McGuire, Carol  
Saunderson, George  
Turcotte, Alan

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Hoell, J.R.  
Kotowski, Frank  
Mackay, James  
McGuire, Dan  
Schuett, Dianne  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Henle, Paul  
Horn, Werner  
Kuch, Bill  
Marple, Richard  
Myler, Mel  
Seaworth, Brian

Deloge, Helen  
French, Barbara  
Hill, Gregory  
Karrick, David  
Long, Douglas  
Martin, John  
Rice, Chip  
Shurtleff, Stephen

### ROCKINGHAM

Abrami, Patrick  
Barnes, Arthur  
Bush, Carol  
Chase, Francis  
Cushing, Robert  
Doucette, Fred  
Francese, Paula  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
McKinney, Betsy  
Osborne, Jason  
Potucek, John  
Simpson, Alexis  
Thomas, Douglas  
Ward, Joanne

Abramson, Max  
Bates, David  
Cahill, Michael  
Chirichiello, Brian  
DeSimone, Debra  
Duarte, Joe  
Friel, William  
Griffin, Mary  
Itse, Daniel  
Lovejoy, Patricia  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Tilton, Rio  
Webb, James

Azarian, Gary  
Berrien, Skip  
Cali-Pitts, Jacqueline  
Christie, Andrew  
Devine, James  
Emerick, J. Tracy  
Gannon, William  
Harris, Jeffrey  
Kappler, Lawrence  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Rice, Frederick  
Sweeney, Joe  
True, Chris  
Welch, David

Baldasaro, Alfred  
Borden, David  
Cardon, G. Thomas  
Cook, Allen  
DiFranco, Debbie  
Ferrante, Beverly  
Gordon, Pamela  
Heffron, Frank  
Katsakiores, Phyllis  
McBeath, Rebecca  
O'Connor, John  
Peckham, Michele  
Schroadter, Adam  
Sytek, John  
Ward, Gerald  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Kaczynski, Jr., Thomas  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Beaudoin, Steven  
Cheney, Catherine  
Groen, Warren  
Leeman, Don  
Smith, Marjorie  
Stevens, Audrey  
Wuelper, Kurt

Bickford, David  
DiSesa, Len  
Hannon, Joseph  
Mullen, John  
Southworth, Thomas  
Treleven, Susan

Bixby, Peter  
Graham, Robert  
Jones, Laura  
Pitre, Joseph  
Spang, Judith  
Turcotte, Leonard

### SULLIVAN

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Oxenham, Lee

### NAYS - 10

### CHESHIRE

Bordenet, John

Hatch, William

Manley, Jonathan

### COOS

### HILLSBOROUGH

**MERRIMACK**

Hess, David

Ratzki, Mario

**ROCKINGHAM**

Dean-Bailey, Yvonne

Hodgdon, Bruce

Vose, Michael

**STRAFFORD**

Horrigan, Timothy

**SULLIVAN**

Schmidt, Andrew

and the committee report was adopted.

**HB 1626-FN**, relative to drug take-back programs. **OUGHT TO PASS WITH AMENDMENT.** Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill expands the current drug take-back program offered in locations throughout the state. Currently a local, county, regional, state, or other governmental entity or a private entity in conjunction with the chief law enforcement officer of a law enforcement agency may establish a controlled and non-controlled pharmaceutical take back program. This bill would allow such collection locations to add illicit drugs such as cocaine, heroin, and paraphernalia to the program. It also provides amnesty to individuals who voluntarily return unused drugs for collection. It allows collection centers to provide the individual returning the drugs an opportunity to speak with an employee, staff member, or volunteer who may aid them in finding suitable rehabilitation assistance. Vote 13-1.

**Amendment (0221h)**

Amend RSA 318-E:1, I as inserted by section 2 of the bill by replacing it with the following:

I. A local, county, regional, state, or other governmental entity or private entity in conjunction with the chief law enforcement officer of a law enforcement agency may establish a controlled and non-controlled pharmaceutical ~~[drug]~~ **and illicit drug and drug paraphernalia** take-back program. For the purposes of this chapter, ~~["pharmaceutical drug"]~~ **"drug"** means a prescription or over-the-counter drug, including, but not limited to, controlled drugs as defined in this chapter **and any illicit drugs such as cocaine, heroin, and paraphernalia.**

Amend RSA 318-E:1, VII and VIII as inserted by section 2 of the bill by replacing them with the following:

***VII. Persons who return drugs or paraphernalia may be provided with the opportunity to speak with an employee, staff member, or volunteer who shall aid them in finding suitable rehabilitation assistance.***

**AMENDED ANALYSIS**

This bill adds illicit drugs and drug paraphernalia to the drug take-back programs. Under this bill, the drug take-back program may have an on site employee, staff member, or volunteer to offer aid to persons returning the drugs in finding suitable rehabilitation assistance.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1632-FN**, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill is trying to fix an issue which is already in law. Pursuant to RSA 159:7: "No person shall sell, deliver, or otherwise transfer a pistol, revolver or any other firearm, to a person who has been convicted, in any jurisdiction, of a felony. Whoever violates the provisions of this section shall be guilty of a class B felony." The majority of the committee feels current law is more than adequate. Vote 7-6.

Rep. Len DiSesa for the Minority of Criminal Justice and Public Safety. The minority of the committee believes that this is a reasonable bill. This bill does not impact anyone's right to possess a firearm as long as they are not prohibited from ownership according to RSA 159. What this bill does is ensure that in a private sale of a firearm, the person selling or giving the firearm could be liable to prosecution if he or she completes the transaction and has knowledge that the person buying the firearm is prohibited from owning it. This is a common sense application of gun safety that makes the community safer. It in no way interferes with anyone's second amendment right to own

a firearm, as long as that person is not prohibited from doing so by already-established law. It is not difficult in this age of easy internet information access to perform a cursory query on anyone. A firearm is not a benign piece of equipment, like a snow blower or an automobile. It has deadly force capabilities and its sale or transfer should have, at the very least, a baseline of information gathering by the seller to ensure that it will not be sold or given to a person who is prohibited from owning it. The minority of the committee strongly believes that this bill should pass.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, with 197 members having voted in the affirmative, and 106 in the negative, the majority committee report was adopted.

**HB 1635-FN**, relative to the theft of a firearm during a burglary. **INEXPEDIENT TO LEGISLATE.** Rep. Ed Comeau for Criminal Justice and Public Safety. This bill is relative to the penalty for theft of a firearm during a burglary. The bill attempts to make the penalty a class A felony under RSA 651:2, II-g. It is the committee's opinion that this would be duplicative, as RSA 637:11, I, (b) accomplishes the same, as such theft is already considered a class A felony under that statute. Vote 11-4. Committee report adopted.

**HB 1657-FN**, prohibiting firearms in certain public places. **INEXPEDIENT TO LEGISLATE.** Rep. John Burt for Criminal Justice and Public Safety. This bill sought to prohibit NH citizens from carrying a firearm in private businesses that provide medical services, pharmacies, convenience stores, box stores, other retailers and churches. This bill would subject NH citizens who accidentally go into one of these private businesses or churches with a firearm with being charged with a class B felony. Even if the owner of the private business or the preacher, reverend, etc. of a church had a firearm, they would be charged with a class B felony. It would force some major retailers to stop selling some of their products in NH. If you look line by line on the bill it would disarm the NH citizen throughout the state. The committee heard from only one supporter. We heard from many people who spoke against this bill. Not one private business or church spoke in favor of this bill. This bill will not serve private businesses, churches or NH citizens. Vote 11-2. Rep. Baldasaro requested a roll call; sufficiently seconded.

## YEAS 248 NAYS 55

### YEAS - 248

#### BELKNAP

Aldrich, Glen	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Vadney, Herbert

#### CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

#### CHESHIRE

Abbott, Michael	Ames, Richard	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Pearson, William
Roberts, Kris	Robertson, Timothy	Sad, Tara	Tilton, Benjamin
Weber, Lucy			

#### COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne

#### GRAFTON

Almy, Susan	Bailey, Brad	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hull, Robert
Ingbreton, Paul	Johnson, Eric	Ladd, Rick	Maes, Kevin
Massimilla, Linda	White, Andrew		

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Biggie, Barbara  
Christensen, Chris  
Cohen, Alan  
Eastman, Eric  
Freitas, Mary  
Gorman, Mary  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
Marston, Dick  
Murotake, David  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Shaw, Barbara  
Snow, Kendall  
Twombly, Timothy

Ammon, Keith  
Barry, Richard  
Boehm, Ralph  
Christiansen, Lars  
Cornell, Patricia  
Edelblut, Frank  
Gagne, Larry  
Gould, Linda  
Hinch, Richard  
Jack, Martin  
Leishman, Peter  
McCarthy, Peggy  
Murphy, Keith  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Daniel  
Ulery, Jordan

Backus, Robert  
Beaulieu, Jane  
Bouldin, Amanda  
Christie, Rick  
Danielson, David  
Estevez, Eric  
Gidge, Kenneth  
Griffin, Barbara  
Hogan, Edith  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Notter, Jeanine  
Pellegrino, Anthony  
Rice, Kimberly  
Seidel, Carl  
Smith, Gregory  
Sullivan, Victoria  
Wolf, Terry

Balcom, John  
Belanger, James  
Burt, John  
Coffey, James  
Donovan, Daniel  
Ferreira, Elizabeth  
Goley, Jeffrey  
Guerette, C. Lee  
Hopper, Gary  
Lachance, Joseph  
Mangipudi, Latha  
Moore, Josh  
O'Brien, Michael  
Peterson, Ken  
Rouillard, Claire  
Shattuck, Gilman  
Smith, Timothy  
Sweeney, Shawn

**MERRIMACK**

Carson, Clyde  
Gile, Mary  
Hirsch, Geoffrey  
Kuch, Bill  
Marple, Richard  
Ratzki, Mario  
Turcotte, Alan

Deloge, Helen  
Henle, Paul  
Hoell, J.R.  
Long, Douglas  
Martin, John  
Rice, Chip  
Wheeler, Deborah

French, Barbara  
Hess, David  
Horn, Werner  
Luneau, David  
McGuire, Carol  
Saunderson, George

French, Harold  
Hill, Gregory  
Kotowski, Frank  
MacKay, James  
McGuire, Dan  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Chase, Francis  
Cushing, Robert  
Doucette, Fred  
Francese, Paula  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
McKinney, Betsy  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Tilton, Rio  
Ward, Joanne

Abramson, Max  
Bates, David  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Duarte, Joe  
Friel, William  
Harris, Jeffrey  
Itse, Daniel  
Lovejoy, Patricia  
Milz, David  
Pantelakos, Laura  
Rice, Frederick  
Sweeney, Joe  
True, Chris  
Webb, James

Azarian, Gary  
Bush, Carol  
Christie, Andrew  
DeSimone, Debra  
Emerick, J. Tracy  
Gannon, William  
Heffron, Frank  
Kappler, Lawrence  
Matthews, Carolyn  
O'Connor, John  
Peckham, Michele  
Schroadter, Adam  
Sytek, John  
Vose, Michael  
Welch, David

Baldasaro, Alfred  
Cardon, G. Thomas  
Cook, Allen  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Katsakiores, Phyllis  
McBeath, Rebecca  
Osborne, Jason  
Potucek, John  
Simpson, Alexis  
Thomas, Douglas  
Ward, Gerald  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Schmidt, Peter  
Treleven, Susan

Bixby, Peter  
Groen, Warren  
Leeman, Don  
Southworth, Thomas  
Turcotte, Leonard

DiSesa, Len  
Hannon, Joseph  
Mullen, John  
Sprague, Dale  
Wall, Janet

Graham, Robert  
Jones, Laura  
Pitre, Joseph  
Stevens, Audrey  
Wuelper, Kurt

**SULLIVAN**

Cloutier, John  
Rollins, Skip

Grenier, James  
Schmidt, Andrew

Laware, Thomas  
Smith, Steven

Oxenham, Lee

**NAYS - 55**  
**BELKNAP**

Dumais, Russell

Tilton, Franklin

**CHESHIRE**

Berch, Paul

Bordenet, John

Shepardson, Marjorie

Tatro, Bruce

**GRAFTON**

Abel, Richard  
Sykes, GeorgeHennessey, Martha  
Townsend, Charles

Higgins, Patricia

Smith, Suzanne

**HILLSBOROUGH**

Brown, Pamela  
Haefner, Robert  
McLean, Mark  
Rosenwald, Cindy  
Walsh, RobertByron, Frank  
Harvey, Suzanne  
Ohm, Bill  
Soucy, TimothyCote, David  
Heath, Mary  
Porter, Marjorie  
Takesian, CharleneEdwards, Elizabeth  
Manley, Jonathan  
Roberts, Carol  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Frazer, June  
Schuett, DianneBartlett, Christy  
Karrick, David  
Shurtleff, StephenDoherty, David  
Kenison, LindaEbel, Karen  
Myler, Mel

**ROCKINGHAM**

Berrien, Skip  
Nigrello, Robert

Cahill, Michael

DiFranco, Debbie

Gordon, Pamela

**STRAFFORD**

Baber, William  
Horrigan, TimothyBickford, David  
Smith, MarjorieBurton, Wayne  
Spang, Judith

Cheney, Catherine

**SULLIVAN**

Converse, Larry

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

and the committee report was adopted.

Rep. Cynthia Chase did not vote and notified the Clerk that she wished to be recorded against.

Reps. Bickford and McLean voted Nay and intended to vote Yea.

**HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph Boehm for Education. This bill allows students who have completed their armed forces military boot camp to wear their dress uniform instead of the cap and gown at graduation. Some schools already allow this. These students finish high school early, join the military, complete basic training and then come back to graduate with their class. The amendment clarifies the bill by utilizing existing Pennsylvania Law. This act will be known as Brandon's Law. Vote 19-0.

**Amendment (0613h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Title. This act shall be known as Brandon's Law.

2 New Subdivision; Military Uniforms. Amend RSA 189 by inserting after section 70 the following new subdivision:

**Military Uniforms**

189:71 Military Uniform. A student shall have the right to wear a dress uniform issued to the student by a branch of the United States armed forces while participating in the graduation ceremony for the student's high school if that student meets the following requirements:

I. The student has fulfilled all of the requirements for receiving a high school diploma in the state of New Hampshire and the school district and is otherwise eligible to participate in the graduation ceremony.

II. The student has completed basic training for and is an active member of a branch of the United States armed forces.

3 Effective Date. This act shall take effect 60 days after its passage.



**AMENDED ANALYSIS**

This bill provides that a student shall have the right to wear a dress uniform issued to the student by a branch of the United States armed forces while participating in the graduation ceremony for the student's high school if the student meets certain requirements.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Horn requested a roll call; not sufficiently seconded.

On a division vote, with 292 members having voted in the affirmative, and 12 in the negative, the committee report was adopted and ordered to third reading.

**HB 1232**, relative to visits to schools by non-academic government or private organizations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Victoria Sullivan for Education. This bill as amended requires parental notification prior to outside organizations addressing or interacting with students. It was made clear in the committee hearing that the public school system has become a gateway for non-academic entities to access children without parental notification. Furthermore, there have been situations where well intentioned organizations have been asked to address students without parental notification, which lead to misunderstandings and in some cases, great embarrassment to school districts. This simply re-enforces communication between parents and districts in order to alleviate such issues in the future. The NH School Board's Association supports HB 1232 as amended. Vote 13-5.

**Amendment (0532h)**

Amend RSA 186:11, IX-e as inserted by section 1 of the bill by replacing it with the following:

IX-e. Require school districts to adopt a policy governing visits to the school by a non-academic government or private organization that will address the student body or a portion thereof. The policy shall require school districts to notify a parent or legal guardian of such visits and their purpose. The school district shall publish the purpose of such visit at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to the organization's visit. The policy shall also allow a parent or legal guardian to opt their child out of any participation with the organization. In this paragraph, "non-academic government or private organization" means any organization that elicits, presents, or reveals information concerning a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1612-FN**, relative to the age for purposes of compulsory education. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Elliott for Education. The State of New Hampshire has moved forward since raising compulsory education attendance to age 18 and believes there are many new and successful programs for those students 16 and over who do not do well with traditional curriculums. Career Technical Education (CTE), or trade schools as we once called them, are tremendously successful. We have a responsibility to provide an education at all levels of intellectual ability. Vote 16-4.  
Committee report adopted.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**HB 1329**, relative to prohibited sales of alcoholic beverages. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McBeath for Commerce and Consumer Affairs. The original purpose of this bill to redefine the meaning of "intoxication," while the committee thought this was a substantive issue; the majority decided it would not pursue this matter at this time. However, the drafters of this bill did bring to the committee's attention two other issues that were ripe for addressing and were relative to the same statute. 1) An issue relative to the shipping companies for the direct shipping law and 2) when an administrative hearing is required of an licensee that the licensee should know what exactly they are being charged with violating. The amendment, which replaces the original bill, clarifies that the NH Liquor Commission shall notify licensed common carriers who bring alcohol into the State of NH (such as UPS and FedEx) on a monthly basis of the identity of unauthorized shippers. The licensed carrier shall not transport any liquor, wine, or beverage within a 90-day period once such notification

has been published. On the second issue, the Liquor Commission agreed to promulgate rules regarding the specificity of its charging documents under RSA 179:5 Prohibited Sales, to specifically identify the violation as either being because the individual served was “visibly intoxicated,” OR the individual was “someone who a reasonable and prudent person would know is intoxicated.” Vote 18-0.

#### **Amendment (0848h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to transportation of alcoholic beverages.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Carrier Licenses. Amend RSA 178:14 by inserting after paragraph II the following new paragraph:

III. A licensed carrier shall not transport any liquor, wine, or beverage within a 90-day period that has been identified by the commission as originating from a person who does not hold a valid New Hampshire direct shipper permit, provided that such identification has first been provided to and received by the licensed carrier in writing. The commission shall notify carriers by mail on a monthly basis of the identity of unauthorized shippers, which notification shall be effective 15 days after such mailing. The commission may impose a fine by rule for violations within the reporting month per shipper.

2 Prohibited Sales. Amend RSA 179:5, I to read as follows:

I. No licensee, salesperson, direct shipper, common carrier, delivery agent, nor any other person, shall sell or give away or cause or allow or procure to be sold, delivered, or given away any liquor or beverage to a person under the age of 21 or serve an individual who is visibly intoxicated or who a reasonable and prudent person would know is intoxicated. For all deliveries of packages by common carrier or delivery agent marked “alcoholic beverages” or “alcoholic products,” the carrier shall obtain an adult signature. ~~[A licensed carrier shall not transport any liquor, wine, or beverage that has been identified by the commission as originating from a person who does not hold a valid New Hampshire direct shipper permit, provided that such identification has first been provided to and received by the licensed carrier in writing. The commission shall notify carriers by mail on a monthly basis of the identity of unauthorized shippers, which notification shall be effective 15 days after such mailing.]~~

3 Effective Date. This act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill revises provisions relating to prohibited transportation of alcoholic beverages. Committee amendment adopted.

Committee report adopted and ordered to third reading.

#### **HB 1311, relative to solitary confinement. INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill does not address issues or conditions that arise in New Hampshire state or county prisons. The anecdotal evidence presented in testimony to the committee referred to practices in other states. Solitary confinement, as described in the bill, is not a condition of confinement used by the New Hampshire Department of Corrections or the various counties. This bill is a solution searching for a problem that does not exist in NH prisons or in complaints from inmates. Vote 8-3.

Committee report adopted.

#### **HB 1466, relative to labeling requirements for certain homestead food operations. INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Environment and Agriculture. This bill would no longer require that homestead food producers attach labels to their products. This includes the homestead food producers who are not subject to inspection by the Department of Health and Human Services and are unlicensed. The bill would have allowed a producer to use a sign and business card to identify the ingredients and producer information for these products at point of sale. The majority of the committee felt that the minimal requirement of having a label that listed the ingredients was not a burden and we heard no testimony from any producer who felt this caused a hardship. Many people have allergies and must be aware of what they eat. Some foods, such as jams and jellies, might be given as a gift and the end user might not be able to obtain information about the ingredients. From a food safety standpoint, it could be very difficult to track a product that did not contain identifying information in the event of a contamination event. For these and other reasons, the committee does not recommend this bill. Vote 15-1.

Committee report adopted.

**HB 1370**, relative to termination of tenancy. **OUGHT TO PASS WITH AMENDMENT.**  
Rep. Timothy Horrigan for Judiciary. This bill, as amended, represents a compromise between landlord and tenant advocates. Landlords would benefit because 7-day evictions could be carried out when tenants fail to establish utility service, or when unauthorized persons stay on the premises for extended periods. Tenants would benefit because evictions (either 7-day or 30-day) would require a writ of summons, which must be filed in the district court for the municipality where the property is located. Vote 10-1.

**Amendment (0433h)**

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Actions Against Tenants; Venue. Amend RSA 540:13, I to read as follows:

I. A writ of summons [~~may~~] *shall* be issued, returnable before [~~a~~] *the* district court *with jurisdiction over the city or town where the property is located*, setting forth in substance that the plaintiff is entitled to the possession of the demanded premises, and that the defendant is in possession thereof without right, after notice in writing, to quit the same at a day named therein.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1422-FN**, creating an exemption from the business profits tax for new businesses in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. This bill proposes an exemption from the Business Profits Tax only for new businesses locating in the state that can show they are employing at least four persons. This legislation establishes no controls over how many times a business entity may apply for the exemption. It creates unrealistic parameters by which an entity could qualify for the exemption. It establishes that the new business employ NH residents, demonstrate good corporate citizenship, and partner with local colleges or universities to offer internships, but provides no clear guidance on how that would be administered or audited. Vote 19-0.

Committee report adopted.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Hinch moved that the House reconsider its action whereby, on a voice vote, the House adopted the committee report of Ought to Pass with Amendment on **HB 2016**, relative to the state 10-year transportation improvement program.

Rep. Hinch spoke against.

Rep. Goley spoke in favor.

Rep. Victoria Sullivan requested a roll call; sufficiently seconded.

**YEAS 130 NAYS 175**

**YEAS - 130**

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Ley, Douglas  
Sad, Tara

Bordenet, John  
Mann, John  
Shepardson, Marjorie

Chase, Cynthia  
Pearson, William  
Tatro, Bruce

**COOS**

Hatch, William

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Gionet, Edmond  
Massimilla, Linda  
White, Andrew

Almy, Susan  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Sykes, George

Ford, Susan  
Maes, Kevin  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Cohen, Alan  
Edwards, Elizabeth  
Gorman, Mary  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Soucy, Timothy

Baroody, Benjamin  
Cornell, Patricia  
Freitas, Mary  
Guerette, C. Lee  
Jeudy, Jean  
Long, Patrick  
Murotake, David  
Roberts, Carol  
Shaw, Barbara  
Sullivan, Daniel

Beaulieu, Jane  
Cote, David  
Gidge, Kenneth  
Harvey, Suzanne  
Lachance, Joseph  
Mangipudi, Latha  
O'Brien, Michael  
Rosenwald, Cindy  
Smith, Timothy  
Vann, Ivy

Brown, Pamela  
Eastman, Eric  
Goley, Jeffrey  
Heath, Mary  
LeBrun, Donald  
Manley, Jonathan  
Pierce, David  
Seidel, Carl  
Snow, Kendall  
Walsh, Robert

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Kenison, Linda  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Ebel, Karen  
Henle, Paul  
Luneau, David  
Rice, Chip  
Turcotte, Alan

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

Deloge, Helen  
French, Barbara  
Karrick, David  
Myler, Mel  
Schuett, Dianne

**ROCKINGHAM**

Barnes, Arthur  
Cushing, Robert  
Heffron, Frank  
Ward, Gerald

Berrien, Skip  
DiFranco, Debbie  
Lovejoy, Patricia

Borden, David  
Francesse, Paula  
McBeath, Rebecca

Cahill, Michael  
Gordon, Pamela  
Simpson, Alexis

**STRAFFORD**

Baber, William  
Hannon, Joseph  
Southworth, Thomas  
Treleven, Susan

Bixby, Peter  
Horrigan, Timothy  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Schmidt, Peter  
Sprague, Dale

DiSesa, Len  
Smith, Marjorie  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Gotting, Suzanne

**NAYS - 175****BELKNAP**

Aldrich, Glen  
Fraser, Valerie  
LeBreche, Shari  
Tilton, Franklin

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fields, Dennis  
Howard, Jr., Raymond  
Spanos, Peter

Flanders, Donald  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Tilton, Benjamin

Hunt, John

McConnell, James

Roberts, Kris

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Ingretson, Paul

Darrow, Stephen  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Gagne, Larry	Gould, Linda
Griffin, Barbara	Haefner, Robert	Hansen, Peter	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Marston, Dick
McCarthy, Peggy	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Simmons, Tammy	Smith, Gregory	Sullivan, Victoria	Sweeney, Shawn
Takesian, Charlene	Twombly, Timothy	Ulery, Jordan	Wolf, Terry

**MERRIMACK**

French, Harold	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Seaworth, Brian			

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Bates, David	Bush, Carol	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne
DeSimone, Debra	Devine, James	Doucette, Fred	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Friel, William	Gannon, William
Green, Dennis	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Matthews, Carolyn	McKinney, Betsy	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Packard, Sherman
Pantelakos, Laura	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Sweeney, Joe
Sytek, John	Thomas, Douglas	Tilton, Rio	True, Chris
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Gray, James	Groen, Warren	Jones, Laura	Kaczynski, Jr., Thomas
Leeman, Don	Mullen, John	Pitre, Joseph	Turcotte, Leonard
Wuelper, Kurt			

**SULLIVAN**

Grenier, James	Laware, Thomas	Rollins, Skip	Smith, Steven
and the motion failed.			

**REGULAR CALENDAR CONT'D**

**HB 1250**, relative to medical neglect of children. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for the Majority of Children and Family Law. This bill ensures that parents who have taken their child to the doctor and are following a prescribed treatment are not accused of medical neglect, even if the state identifies and orders an alternative treatment. It does not affect the existing religious exemption, nor does it change the status of parents who do not seek counsel. Vote 7-6.

Rep. Skip Berrien for the Minority of Children and Family Law. This bill, intended to prevent unwarranted allegations of medical neglect, is based on a single unfortunate incident in a neighboring state. Although the bill was appropriately created, it raised complex issues of unintended consequences which could not be resolved.

**Majority Amendment (0797h)**

Amend RSA 169-C:31-a as inserted by section 1 of the bill by replacing it with the following:

169-C:31-a Medical Neglect. No parent or legal guardian shall be petitioned or charged with abusing or neglecting a child's need for medical care if:

I. The parent or legal guardian has sought medical care for the presenting medical condition of the child from a licensed health care professional;

II. The licensed health care professional has made a diagnosis;

III. The licensed health care professional has prescribed a generally accepted course of standard treatment; and

IV. The parent or legal guardian is following the recommended course of treatment.

**AMENDED ANALYSIS**

This bill provides that a parent or legal guardian shall not be petitioned or charged with abuse or neglect of a child's need for medical care if the parent or guardian follows a recommended course of treatment from a licensed health care professional.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Valerie Fraser offered floor amendment (0971h).

**Floor Amendment (0971h)**

Amend the bill by replacing section 1 with the following:

1 New Section; Child Protection Act; Reporting Law; Medical Neglect. Amend RSA 169-C by inserting after section 31 the following new section:

169-C:31-a Medical Neglect.

I. No parent or legal guardian of a minor child shall be petitioned or charged with abusing or neglecting a child's need for medical care if:

(a) The parent or legal guardian has sought medical care for the presenting medical condition of the child from a licensed or certified health care professional;

(b) The health care professional has made a diagnosis, if known; and

(c) The parent or legal guardian has given informed consent as described in paragraph II and is following the recommended course of treatment.

II. In order to obtain the parent or guardian's informed consent, the health care professional shall disclose all risks and benefits that might affect the minor child's treatment decisions, which shall include, but are not limited to:

(a) The condition being treated.

(b) The nature and purpose of the proposed treatment or surgical procedure.

(c) The risks and benefits of proposed treatment or procedures.

(d) The anticipated results.

(e) The risk and benefits of possible alternative forms of treatment, regardless of cost or extent of insurance coverage.

(f) Recognized serious possible risks, complications, and anticipated benefits involved in the treatment or surgical procedure.

(g) Risks and benefits of not receiving treatments or undergoing procedures.

(h) Any personal or economic interests that may influence his or her judgment.

(i) All diagnostic tests that may rule out a possible condition.

III. Informed consent shall be provided in writing, on a form that contains the following information:

(a) The name and signature of the minor child's parent or legal guardian.

(b) The name of the hospital.

(c) The name of the procedure.

(d) The name of all practitioners performing the procedure and any significant individual tasks.

(e) The risks.

(f) The benefits.

(g) Alternative procedures and treatments and their risks.

(h) The date and time consent is obtained.

(i) A statement that the procedure was explained to the child's parent or legal guardian.

(j) The signature of the person witnessing the consent.

(k) The name and signature of health care professional who explained the procedure to the child's parent or legal guardian.

### AMENDED ANALYSIS

This bill provides that a parent or legal guardian shall not be petitioned or charged with abuse or neglect if the parent or guardian is following the recommended course of treatment of a health care professional. The bill requires the parent or guardian to give informed consent for such treatment and defines informed consent in such cases.

Rep. Valerie Fraser spoke in favor.

Rep. Berrien spoke against.

On a division vote, with 131 members having voted in the affirmative, and 165 in the negative, floor amendment (0971h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Berrien spoke against.

Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

### YEAS 155 NAYS 146

#### YEAS - 155

##### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Vadney, Herbert

##### CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
Wright, Ted			

##### CHESHIRE

Hunt, John	McConnell, James
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##### COOS

Richardson, Herbert	Rideout, Leon	Tholl, John
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##### GRAFTON

Bailey, Brad	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick		

##### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Gagne, Larry	Gidge, Kenneth	Haefner, Robert
Hinch, Richard	Hogan, Edith	Hopper, Gary	Lachance, Joseph
LeBrun, Donald	McCarthy, Peggy	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Pellegrino, Anthony	Peterson, Ken	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	Wolf, Terry

##### MERRIMACK

French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Azarian, Gary	Barnes, Arthur
Bates, David	Bush, Carol	Chase, Francis	Chirichiello, Brian
Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Friel, William	Gannon, William
Green, Dennis	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Matthews, Carolyn	McKinney, Betsy	Nigrello, Robert
O'Connor, John	Osborne, Jason	Packard, Sherman	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sytek, John	Thomas, Douglas	Tilton, Rio
True, Chris	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth		

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

**SULLIVAN**

Converse, Larry	Laware, Thomas	Rollins, Skip	Smith, Steven
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**NAYS - 146****BELKNAP**

Flanders, Donald	Tilton, Franklin
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**CARROLL**

Buco, Thomas	Butler, Edward	Parker, Harold	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Johnsen, Gladys	Ley, Douglas	Mann, John
Pearson, William	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

**COOS**

Fothergill, John	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

**GRAFTON**

Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Brown, Pamela
Cornell, Patricia	Cote, David	Danielson, David	Ferreira, Elizabeth
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Infantine, William	Jack, Martin	Judy, Jean
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
Marston, Dick	McNamara, Richard	O'Brien, Michael	Palmer, Barry
Pierce, David	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert			



**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kotowski, Frank	Luneau, David
MacKay, James	Myler, Mel	Ratzki, Mario	Rice, Chip
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wheeler, Deborah			

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cardon, G. Thomas
Christie, Andrew	Cushing, Robert	DiFranco, Debbie	Emerick, J. Tracy
Ferrante, Beverly	Francesse, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Milz, David	Pantelakos, Laura
Simpson, Alexis	Sweeney, Joe	Ward, Gerald	

**STRAFFORD**

Baber, William	Bixby, Peter	Burton, Wayne	DiSesa, Len
Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Wall, Janet			

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted and ordered to third reading.

**HB 1471, relative to parental rights. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for the Majority of Children and Family Law. This bill recognizes in statute the parental rights that the state supreme court acknowledges are implicit in Part I, Article 2 of our state constitution. This is a statutory implementation of the constitution that is necessary to make it effective. Vote 8-5.

Rep. Skip Berrien for the Minority of Children and Family Law. This bill, asserting the natural rights of parents over their children, presents unintentional consequences regarding the rights of parents and the best interest's standard for children. RSA 461-A establishes the best interest standard in parental rights and responsibility divorce court orders when parents cannot agree. This bill will cause confusion at the expense of children. This erodes protections (RSA 173-B) for victims and children in domestic violence. Protection of children in abuse and neglect proceedings (RSA 169-C) would be jeopardized by this bill. The United States and New Hampshire Supreme Courts have consistently recognized the natural rights of fit parents. This bill is not necessary and threatens the best interest of children.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Berrien spoke against.

Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 163 NAYS 135**

**YEAS - 163**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Vadney, Herbert

**CARROLL**

Avellani, Lino  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill  
Wright, Ted

Cordelli, Glenn  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Ingbretson, Paul

Darrow, Stephen  
Johnson, Eric

Hennessey, Erin  
Ladd, Rick

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Belanger, James  
Byron, Frank  
Coffey, James  
Edelblut, Frank  
Gould, Linda  
Hogan, Edith  
McCarthy, Peggy  
Murphy, Keith  
Pellegrino, Anthony  
Rouillard, Claire  
Seidel, Carl  
Sweeney, Shawn

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Estevez, Eric  
Haefner, Robert  
Hopper, Gary  
McLean, Mark  
Notter, Jeanine  
Peterson, Ken  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy

Balcom, John  
Boehm, Ralph  
Christiansen, Lars  
Donovan, Daniel  
Ferreira, Elizabeth  
Hansen, Peter  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Proulx, Mark  
Sanborn, Laurie  
Smith, Gregory  
Ulery, Jordan

Barry, Richard  
Burt, John  
Christie, Rick  
Eastman, Eric  
Gagne, Larry  
Hinch, Richard  
Marston, Dick  
Murotake, David  
Parison, James  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria  
Wolf, Terry

**MERRIMACK**

French, Harold  
Horn, Werner  
Martin, John

Hess, David  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Bates, David  
Dean-Bailey, Yvonne  
Duarte, Joe  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Thomas, Douglas  
Webb, James

Abramson, Max  
Bush, Carol  
DeSimone, Debra  
Emerick, J. Tracy  
Griffin, Mary  
Itse, Daniel  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Spillane, James  
Tilton, Rio  
Welch, David

Baldasaro, Alfred  
Chase, Francis  
Devine, James  
Friel, William  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
True, Chris  
Weyler, Kenneth

Barnes, Arthur  
Cook, Allen  
Doucette, Fred  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Milz, David  
Packard, Sherman  
Rice, Frederick  
Sytek, John  
Vose, Michael

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

Bickford, David  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Pitre, Joseph

**SULLIVAN**

Converse, Larry

Laware, Thomas

Rollins, Skip

Smith, Steven

## NAYS - 135 BELKNAP

Flanders, Donald                      Tilton, Franklin

### CARROLL

Buco, Thomas                      Butler, Edward                      Ticehurst, Susan

### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul
Chase, Cynthia	Johnsen, Gladys	Ley, Douglas
Pearson, William	Roberts, Kris	Robertson, Timothy
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
		Bordenet, John
		Mann, John
		Sad, Tara
		Weber, Lucy

### COOS

Fothergill, John                      Hatch, William                      Moynihan, Wayne                      Thomas, Yvonne

### GRAFTON

Abel, Richard	Almy, Susan	Cooney, Mary
Gionet, Edmond	Hennessey, Martha	Higgins, Patricia
Massimilla, Linda	Smith, Suzanne	Sykes, George
White, Andrew		Ford, Susan
		Maes, Kevin
		Townsend, Charles

### HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane
Cornell, Patricia	Cote, David	Freitas, Mary
Goley, Jeffrey	Gorman, Mary	Griffin, Barbara
Harvey, Suzanne	Heath, Mary	Jack, Martin
LeBrun, Donald	Leishman, Peter	Long, Patrick
Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Pierce, David	Porter, Marjorie	Roberts, Carol
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene
Walsh, Robert		
		Brown, Pamela
		Gidge, Kenneth
		Guerette, C. Lee
		Jeady, Jean
		Mangipudi, Latha
		Palmer, Barry
		Rosenwald, Cindy
		Snow, Kendall
		Vann, Ivy

### MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Kenison, Linda	Kotowski, Frank	Luneau, David
Myler, Mel	Ratzki, Mario	Rice, Chip
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
		Deloge, Helen
		French, Barbara
		Karrick, David
		MacKay, James
		Saunderson, George
		Wheeler, Deborah

### ROCKINGHAM

Azarian, Gary	Berrien, Skip	Borden, David
Cardon, G. Thomas	Christie, Andrew	Cushing, Robert
Ferrante, Beverly	Francese, Paula	Heffron, Frank
Pantelakos, Laura	Simpson, Alexis	Ward, Gerald
		Cahill, Michael
		DiFranco, Debbie
		Lovejoy, Patricia
		Ward, Joanne

### STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne
Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Sprague, Dale	Stevens, Audrey
Wall, Janet		
		DiSesa, Len
		Southworth, Thomas
		Treleaven, Susan

### SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew
		Grenier, James

and the majority committee report was adopted and ordered to third reading.

**HB 1139**, establishing a committee to examine state protections from financial fraud. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Harold French for the Majority of Commerce and Consumer Affairs. After deliberations, the majority of the committee determined that creating an entire new state agency in the form of a financial services unit to investigate and prosecute financial crimes was a duplication of duties already performed by the Attorney General's office. Creating a legislative committee to study the feasibility is an unwise use of resources. Vote 12-8.

Rep. Kermit Williams for the Minority of Commerce and Consumer Affairs. This bill would create a study committee to look at specific solutions to avoid the problems seen in the aftermath of the Financial Resources Mortgage, Inc. (FRM) financial fraud case. Poor decisions made by state regulators and actions taken in the aftermath of the fraud made the impact on fraud victims much worse, launched a years-long series of investigations, and gave New Hampshire's financial regulation a black eye. The minority believes that studying how we should change the state's potential actions in the aftermath of a future financial fraud case – because one will happen sooner or later – is critical to protecting the reputation of New Hampshire as a good state in which to do business and invest your money. The minority also recognizes, as the rest of the legislature should, that as a part-time legislature with very limited staff, study committees are the main mechanism to vet solutions to complex problems and create appropriate legislation. Any issue that doesn't have a black and white answer deserves a study committee – that's how we work together to craft good legislation.

The question being adoption of the majority committee report of Inexpedient to Legislate.

On a division vote, with 194 members having voted in the affirmative, and 106 in the negative, the majority committee report was adopted.

**HB 1348**, repealing the exemption for certain transactions under the consumer protection act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Hunt for the Majority of Commerce and Consumer Affairs. The majority of the committee believes this bill is an ill-advised attempt to change an effective and well-designed system of protecting NH consumers that balances protections under laws governing individual highly regulated industries with those under the Consumer Protection Act (CPA). This bill proposed splitting regulation of our financial services industries, banks and credit unions, as well as insurance companies and securities firms, into two different systems by repealing CPA exemptions that have been in place since the act took effect in 1971. The basis for the current exemption is that these entities are highly regulated by other state and federal agencies, and subject to significant examination and oversight. If this bill were to pass, the state would treat banks, insurers and securities firms differently, depending on how they are chartered. For instance, NH based credit unions and banks that happen to hold a national charter would become subject to individual and class action lawsuits. Credit unions and banks that happen to be headquartered out of a nearby state, with a strong local presence in NH, would now fall under the CPA. Banks doing business here under a state charter would remain exempt from the act. Such an action would bifurcate NH's financial services industry, creating an uneven playing field. The legislature has always recognized the importance of maintaining an even playing field, allowing for a diverse and strong financial services community in the state. Some of the smallest local credit unions and local banks that hold national charters - would be exposed to the constant threat of costly and time-consuming lawsuits. The committee heard that this discriminatory approach to regulation would be unconstitutional under the Commerce Clause of the US Constitution. Under the Dodd-Frank Act of 2010, the state would undoubtedly be open to the expense of legal challenges for implementing financial laws that discriminate against institutions based on whether they are chartered by federal or state law. The Insurance Department testified that state insurance regulators have long coordinated their enforcement actions. New Hampshire officials have ordered companies to pay millions of dollars in restitution that the CPA allows, quickly and without the expense of the lengthy court battles that the bill would encourage. State insurance officials testified that they cannot imagine a single instance that would require this passage of this bill. The AG's office argued that the current law blocked it from joining a multi-state settlement against Standard and Poors (S&P). This testimony was countered by testimony from the Bureau of Securities Regulation. In addition, others testified that the AG could have participated in the settlement, and was not limited by the CPA exemption. Only 19 states took part in the S&P lawsuit, despite the fact that many of them have laws that would have allowed them to sign on. New Hampshire securities laws already provide avenues for the state to pursue for deceptive

and fraudulent actions. In fact, state securities regulators are now investigating S&P's behavior in the rating of mortgage-backed securities. The S&P situation is a single, isolated incident that has not yet played itself out. It's important to note that the current CPA exemption has not prevented the state from participating in several national settlements involving the financial services industry. If the claim is the AG was barred from participating because of this exemption, why was the state able to participate in similar national settlements? Dodd-Frank also gave state attorneys general the right to file consumer protection actions in federal court and seek hefty penalties of up to \$1 million a day. The AG has the ability to enforce federal consumer protection regulations and need only notify the Consumer Financial Protection Bureau of its intent to do so. The AG can pursue these cases today, without any change in the law. The majority of the Commerce and Consumer Affairs Committee do not believe that the legislature should be changing a well-established and effective law in response to isolated situations like the one the AG described. To do so would discourage relocation and expansion of critical financial services here, at the risk of harming the state's overall business environment. Vote 10-9.

Rep. David Luneau for the Minority of Commerce and Consumer Affairs. When it comes to fraud, New Hampshire citizens have no right under the Consumer Protection Act (CPA) to take legal action against federally chartered financial institutions and insurance companies regulated by other states or the federal government. In fact, according to the Consumer Protection Bureau of the AG, the state even lost out in a \$20M settlement connected with inflated ratings of mortgage-backed securities that helped fuel the financial crisis. New Hampshire has some of the weakest laws in the country when it comes to fraud. This bill repeals the exemptions under the CPA for these products and services used by nearly everyone in the state, and allows citizens and the state to take legal action against these banks, securities firms and insurance companies when they commit fraud.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Jones requested a roll call; sufficiently seconded.

## **YEAS 184 NAYS 116**

### **YEAS - 184**

#### **BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Russell, David	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

#### **CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

#### **CHESHIRE**

Bordenet, John	Hunt, John	McConnell, James	Roberts, Kris
Tilton, Benjamin			

#### **COOS**

Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John
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#### **GRAFTON**

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingretson, Paul	Johnson, Eric	Ladd, Rick

#### **HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Gagne, Larry

Gould, Linda  
Hinch, Richard  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Rice, Kimberly  
Schleien, Eric  
Sullivan, Victoria  
Ulery, Jordan

Griffin, Barbara  
Hogan, Edith  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Sweeney, Shawn  
Wolf, Terry

Haefner, Robert  
Hopper, Gary  
Marston, Dick  
Murotake, David  
Palmer, Barry  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Takesian, Charlene

Hansen, Peter  
Jack, Martin  
McCarthy, Peggy  
Murphy, Keith  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Smith, Gregory  
Twombly, Timothy

### MERRIMACK

French, Harold  
Horn, Werner  
Marple, Richard  
Seaworth, Brian

Hess, David  
Kotowski, Frank  
Martin, John

Hill, Gregory  
Kuch, Bill  
McGuire, Carol

Hoell, J.R.  
Long, Douglas  
McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Barnes, Arthur  
Chase, Francis  
DeSimone, Debra  
Emerick, J. Tracy  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Thomas, Douglas  
Ward, Joanne

Abramson, Max  
Bates, David  
Christie, Andrew  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Itse, Daniel  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Spillane, James  
Tilton, Rio  
Webb, James

Azarian, Gary  
Bush, Carol  
Cook, Allen  
Doucette, Fred  
Friel, William  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
True, Chris  
Welch, David

Baldasaro, Alfred  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Milz, David  
Packard, Sherman  
Rice, Frederick  
Sytek, John  
Vose, Michael  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Gray, James  
Jones, Laura  
Pitre, Joseph

Bickford, David  
Groen, Warren  
Kaczynski, Jr., Thomas  
Sprague, Dale

Cheney, Catherine  
Hannon, Joseph  
Leeman, Don  
Turcotte, Leonard

Graham, Robert  
Horrigan, Timothy  
Mullen, John  
Wuelper, Kurt

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 116

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Ley, Douglas  
Sad, Tara

Berch, Paul  
Mann, John  
Shepardson, Marjorie

Chase, Cynthia  
Pearson, William  
Tatro, Bruce

### COOS

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

### GRAFTON

Abel, Richard  
Hennessey, Martha  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Sykes, George

Cooney, Mary  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Massimilla, Linda  
White, Andrew

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Brown, Pamela
Cornell, Patricia	Cote, David	Edwards, Elizabeth	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Heath, Mary	Judy, Jean	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Vann, Ivy	Walsh, Robert	

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Myler, Mel
Ratzki, Mario	Rice, Chip	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wheeler, Deborah	

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Francesse, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Pantelakos, Laura	Simpson, Alexis
Ward, Gerald			

**STRAFFORD**

Baber, William	Bixby, Peter	Burton, Wayne	DiSesa, Len
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleven, Susan	Wall, Janet	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted.

**HB 1608-FN**, relative to uniform prior authorization forms. **OUGHT TO PASS WITH AMENDMENT.** Rep. Edward Butler for Commerce and Consumer Affairs. This bill requires that the Insurance Department create an acceptable uniform 2-page form that will be used by all health care providers when justifying medication orders to insurance carriers and pharmacy benefit managers. These documents are called prior authorization forms. Currently each health insurance company has its own prior authorization form which could be 1, 2 or even 4 pages and each form requests different information. A uniform process will streamline the administrative burden for health care providers. Several other states are already using uniform prior authorization forms. Managed care organizations are exempt from this bill since this process is regulated differently through the Department of Health and Human Services. Vote 16-2.

**Amendment (0799h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Utilization Review; Prior Authorization Forms. Amend RSA 420-J:6 by inserting after paragraph VI the following new paragraph:

VII. All health insurers, health maintenance organizations, health services corporations, medical services corporations and preferred provider programs, including Medicaid managed care entities under RSA 126-A:5, XIX, shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization form described in this paragraph.

(a) On or before March 1, 2017, the commissioner shall adopt rules, pursuant to RSA 541-A, specifying the contents of the uniform prior authorization form for prescription drug benefits, consistent with the requirements of this paragraph. In developing the form, the commissioner shall seek input from interested stakeholders, and shall consider standards established by the federal Centers for Medicare and Medicaid Services and any other national standards pertaining to prior authorization.

(b) The prior authorization form adopted under this paragraph shall:

- (1) Not exceed 2 pages;
- (2) Be made available electronically; and
- (3) Be capable of being submitted electronically.

(c) If an entity listed in this paragraph fails to use or accept the uniform prior authorization form, or fails to respond within 2 business days after receiving a completed prior authorization request from a provider, the prior authorization request shall be deemed to have been granted.

(d) Nothing in this paragraph shall prohibit use of prior authorization methodology that utilizes an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system in lieu of a paper form, provided that the form used is consistent with the rules developed under this paragraph.

(e) Nothing in this paragraph shall prohibit the use of prior authorization for prescription drug benefits.

2 New Section; Licensure of Medical Utilization Review Entities; Uniform Prior Authorization Forms for Prescription Drug Benefits. Amend RSA 420-E by inserting after section 4 the following new section:

420-E:4-a Uniform Prior Authorization Forms for Prescription Drug Benefits.

I. All licensees under this chapter shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization form adopted by the commissioner under RSA 420-J:6, VII.

II. If a licensee fails to use or accept the uniform prior authorization form, or fails to respond within 2 business days after receiving a completed prior authorization request from a provider, the prior authorization request shall be deemed to have been granted.

III. Nothing in this section shall prohibit use of prior authorization methodology that utilizes an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system in lieu of a paper form, provided that the form used is consistent with the rules developed under RSA 420-J:6, VII.

IV. Nothing in this section shall prohibit the use of prior authorization for prescription drug benefits.

V. This section shall apply to RSA 420-J and shall not apply to the Medicaid managed care program under RSA 126-A:5, XIX.

3 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill requires health insurers, health maintenance organizations, health services corporations, medical services corporations, preferred provider programs, and Medicaid managed care entities to use and accept only the uniform prior authorization forms developed by the commissioner of insurance in accordance with rules adopted pursuant to RSA 541-A.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Butler offered floor amendment (0917h).

#### Floor Amendment (0917h)

Amend the introductory paragraph of RSA 420-J:6, VII as inserted by section 1 of the bill by replacing it with the following:

VII. All health insurers, health maintenance organizations, health services corporations, medical services corporations, and preferred provider programs shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization form described in this paragraph.

#### AMENDED ANALYSIS

This bill requires health insurers, health maintenance organizations, health services corporations, medical services corporations, and preferred provider programs to use and accept only the uniform prior authorization forms developed by the commissioner of insurance in accordance with rules adopted pursuant to RSA 541-A.

Rep. Butler spoke in favor.

Floor amendment (0917h) adopted.

Committee report adopted and ordered to third reading.



**HB 1697-FN, relative to the operation and insurance of transportation network companies. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laurie Sanborn for the Majority of Commerce and Consumer Affairs. This is a pro-consumer and pro-business bill that will enable a new, emerging industry to flourish and offer more transportation choices to NH residents and visitors. As stated by several chambers of commerce throughout our state, this legislation creates a logical, fair, and efficient regulatory framework and avoids the potential for a confusing and inconsistent patchwork of regulations created by individual communities. Importantly, the bill clarifies three different tiers of insurance coverage for when a driver is using his or her personal vehicle, when the driver logs onto the Transportation Network Company's (TNC) digital network but is not engaged in a prearranged ride, and when the driver is engaged in a prearranged ride, to ensure there is no gap in coverage. The committee amendment reduces the minimum amount of liability insurance from \$1,000,000 to \$300,000, allows TNCs to accept cash as a form of payment, and allows non-electronic receipts in an effort to encourage new companies and new types ride sharing models to be created in our state. It also adds requirements to ensure that the driver is notifying their insurance company and becomes aware of any lien holder requirements. Vote 15-2.

Rep. Christopher Herbert for the Minority of Commerce and Consumer Affairs. This bill does not pay for itself. There are 1,000 ride-sharing vehicles in NH already and unlike any other business under the jurisdiction of the Commerce Committee, this industry does not pay its way. Its' first year costs are over \$100,000 and annual costs are \$70-\$80,000 according to Department of Safety estimates, if they need to hire people. The minority would support Inexpedient to Legislate until a common sense, per driver fee can be imposed to pay the bills.

**Majority Amendment (0876h)**

Amend RSA 376-A:5 as inserted by section 1 of the bill by replacing it with the following:

376-A:5 Fare. On behalf of a TNC driver, a TNC may charge a fare for the services provided to riders; provided that, if a fare is collected from a rider, the TNC shall disclose to the rider the fare calculation method on its website or within the vehicle or the software application service. The TNC shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the TNC driver's vehicle.

Amend RSA 376-A:7 as inserted by section 1 of the bill by replacing it with the following:

376-A:7 Receipt. Within a reasonable period of time following the completion of a trip, a TNC shall transmit an itemized receipt to the rider on behalf of the TNC driver.

Amend RSA 376-A:8, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Primary automobile liability insurance that provides at least \$300,000 for death, bodily injury, and property damage.

Amend RSA 376-A:8 as inserted by section 1 of the bill by inserting after paragraph IX the following new paragraph:

X. Every TNC driver shall contact the driver's personal vehicle insurer or insurance producer to advise the insurer or producer that the driver will be providing TNC services.

Amend RSA 376-A:9 as inserted by section 1 of the bill by replacing it with the following:

376-A:9 Disclosures. Every TNC shall disclose in writing to the TNC driver the following:

I. The insurance coverage, including the types of coverage and the limits for each coverage, that the TNC provides while the TNC driver uses a personal vehicle in connection with a TNC's digital network.

II. That the TNC driver's own motor vehicle insurance policy might not provide any coverage while the TNC driver is logged on to the TNC's digital network or is engaged in a prearranged ride, depending on its terms.

III. That the TNC driver shall contact the driver's personal vehicle insurer or insurance producer to advise the insurer or producer that the driver will be providing TNC services.

IV. That if the personal vehicle that the TNC driver uses to provide TNC services has a lien against it, using the personal vehicle for TNC services without physical damage coverage may violate the terms of the contract with the lienholder.

V. That if a TNC's insurer makes a payment for a claim covered under comprehensive coverage or collision coverage, the TNC shall cause its insurer to issue the payment directly to the business repairing the personal vehicle or jointly to the owner of the personal vehicle and the primary lienholder on the covered personal vehicle.

Amend RSA 376-A:16-376-A:19 as inserted by section 1 of the bill by replacing them with the following:

**376-A:16 Discrimination Prohibited Accessibility.**

I. The TNC shall adopt a policy of nondiscrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to riders and potential riders and notify TNC drivers of such policy.

II. TNC drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.

III. TNC drivers shall comply with all applicable laws relating to accommodation of service animals.

IV. No TNC shall impose additional charges for providing services to persons with physical disabilities because of such disabilities.

V. Every TNC shall provide riders an opportunity to indicate whether they require a wheelchair accessible vehicle. If a TNC cannot arrange a wheelchair accessible prearranged ride in any instance, it shall direct the rider to an alternate provider of wheelchair accessible service, if available.

**376-A:17 Records Every TNC shall maintain the following customer records:**

I. Individual trip records for at least one year from the date each trip was provided.

II. TNC driver records at least until the one year anniversary of the date on which a TNC driver's customer relationship with the TNC has ended.

**376-A:18 Controlling Authority.** Notwithstanding any other provision of law, TNCs and TNC drivers are governed exclusively by this chapter and any rules by the department of safety consistent with this chapter. No municipality or other local entity may impose a tax on, or require a license for, a TNC, a TNC driver, or a vehicle used by a TNC driver where such tax or licenses relates to providing prearranged rides, or subject a TNC to the municipality's or other local entity's rate, entry, operational, or other requirements.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horn spoke against.

Majority committee report adopted and ordered to third reading.

**HB 1314, limiting the authority of state entities to regulate the sale, use, and possession of firearms. INEXPEDIENT TO LEGISLATE.**

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill prohibits a state university, institution, or any other entity funded in whole or in part by the State of New Hampshire from instituting a firearms policy unless specifically referenced in statute. This bill would force New Hampshire hospitals, mental health facilities, substance abuse and recovery programs, shelters, half-way houses, visitation centers, and institutions of higher education, among others, to allow firearms on their premises unless specifically prohibited by statute. This far-reaching legislation could have potentially dangerous unintended consequences, and the committee heard testimony in opposition from some of the facilities that would be impacted regarding public safety concerns. The committee also heard compelling testimony from the Attorney General's office regarding the difficult choice that hospitals and service agencies would have to make choosing between the safety of their staff and patients or state funding. Vote 9-4.

Rep. Comeau spoke against.

Rep. Cushing spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 179 NAYS 117**

**YEAS - 179**

**BELKNAP**

Fields, Dennis

Flanders, Donald

Gallagher, Brian

Russell, David

**CARROLL**

Butler, Edward

McCarthy, Frank

McConkey, Mark

Schmidt, Stephen

Ticehurst, Susan

Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Johnsen, Gladys  
Roberts, Kris  
Tilton, Benjamin

Berch, Paul  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Bordenet, John  
Mann, John  
Sad, Tara

**COOS**

Fothergill, John  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Tholl, John

**GRAFTON**

Abel, Richard  
Ford, Susan  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Hennessey, Martha  
Massimilla, Linda  
White, Andrew

Bailey, Brad  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Ladd, Rick  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Beaulieu, Jane  
Cornell, Patricia  
Edwards, Elizabeth  
Goley, Jeffrey  
Haefner, Robert  
Jack, Martin  
Long, Patrick  
McNamara, Richard  
Peterson, Ken  
Rosenwald, Cindy  
Shattuck, Gilman  
Soucy, Timothy  
Walsh, Robert

Balcom, John  
Belanger, James  
Cote, David  
Freitas, Mary  
Gorman, Mary  
Heath, Mary  
Judy, Jean  
Mangipudi, Latha  
O'Brien, Michael  
Pierce, David  
Rouillard, Claire  
Shaw, Barbara  
Sullivan, Daniel  
Wolf, Terry

Baroody, Benjamin  
Brown, Pamela  
Danielson, David  
Gagne, Larry  
Griffin, Barbara  
Hinch, Richard  
LeBrun, Donald  
Manley, Jonathan  
Palmer, Barry  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene

Barry, Richard  
Christensen, Chris  
Donovan, Daniel  
Gidge, Kenneth  
Guerette, C. Lee  
Infantine, William  
Leishman, Peter  
McCarthy, Peggy  
Pellegrino, Anthony  
Roberts, Carol  
Seidel, Carl  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Karrick, David  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

Bartlett, Christy  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
Myler, Mel  
Schuett, Dianne

Carson, Clyde  
Frazer, June  
Hess, David  
Kotowski, Frank  
Ratzki, Mario  
Shurtleff, Stephen

Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Luneau, David  
Rice, Chip  
Turcotte, Alan

**ROCKINGHAM**

Abami, Patrick  
Borden, David  
DeSimone, Debra  
Francese, Paula  
Heffron, Frank  
Matthews, Carolyn  
Nigrello, Robert  
Rice, Frederick  
Ward, Joanne

Azarian, Gary  
Cahill, Michael  
Devine, James  
Friel, William  
Hoelzel, Kathleen  
McBeath, Rebecca  
O'Connor, John  
Simpson, Alexis  
Welch, David

Barnes, Arthur  
Christie, Andrew  
DiFranco, Debbie  
Gordon, Pamela  
Katsakiores, Phyllis  
McKinney, Betsy  
Packard, Sherman  
Sytek, John

Berrien, Skip  
Cushing, Robert  
Ferrante, Beverly  
Griffin, Mary  
Lovejoy, Patricia  
Milz, David  
Pantelakos, Laura  
Ward, Gerald

**STRAFFORD**

Baber, William  
DiSesa, Len  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Gray, James  
Smith, Marjorie  
Stevens, Audrey

Bixby, Peter  
Horrigan, Timothy  
Southworth, Thomas  
Treleaven, Susan

Burton, Wayne  
Mullen, John  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Oxenham, Lee

Gagnon, Raymond  
Schmidt, Andrew

Grenier, James

Irwin, Virginia

**NAYS - 117****BELKNAP**

Aldrich, Glen  
Hurt, George  
Tilton, Franklin

Dumais, Russell  
LeBreche, Shari  
Vadney, Herbert

Fraser, Valerie  
Spanos, Peter

Howard, Jr., Raymond  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Nelson, Bill

Buco, Thomas  
Parker, Harold

Comeau, Ed  
Wright, Ted

Cordelli, Glenn

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Coffey, James  
Ferreira, Elizabeth  
Hopper, Gary  
Moore, Josh  
Ohm, Bill  
Sanborn, Laurie  
Sullivan, Victoria

Ammon, Keith  
Byron, Frank  
Eastman, Eric  
Gould, Linda  
Lachance, Joseph  
Murotake, David  
Parison, James  
Schleien, Eric  
Sweeney, Shawn

Biggie, Barbara  
Christiansen, Lars  
Edelblut, Frank  
Hansen, Peter  
Marston, Dick  
Murphy, Keith  
Proulx, Mark  
Simmons, Tammy  
Twombly, Timothy

Boehm, Ralph  
Christie, Rick  
Estevez, Eric  
Hogan, Edith  
McLean, Mark  
Notter, Jeanine  
Rice, Kimberly  
Smith, Gregory  
Ulery, Jordan

**MERRIMACK**

French, Harold  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Seaworth, Brian

Horn, Werner  
Martin, John

**ROCKINGHAM**

Abramson, Max  
Cardon, G. Thomas  
Doucette, Fred  
Green, Dennis  
Kappler, Lawrence  
Potucek, John  
Sweeney, Joe  
Vose, Michael

Baldasaro, Alfred  
Chase, Francis  
Duarte, Joe  
Harris, Jeffrey  
Kolodziej, Walter  
Prudhomme-O'Brien, Katherine  
Thomas, Douglas  
Weyler, Kenneth

Bates, David  
Cook, Allen  
Emerick, J. Tracy  
Hodgdon, Bruce  
Osborne, Jason  
Schroadter, Adam  
Tilton, Rio

Bush, Carol  
Dean-Bailey, Yvonne  
Gannon, William  
Itse, Daniel  
Peckham, Michele  
Spillane, James  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Pitre, Joseph

Cheney, Catherine  
Jones, Laura  
Turcotte, Leonard

Graham, Robert  
Kaczynski, Jr., Thomas  
Wuelper, Kurt

Groen, Warren  
Leeman, Don

**SULLIVAN**

Converse, Larry  
and the committee report was adopted.

Laware, Thomas

Rollins, Skip

Smith, Steven

**HB 1400**, defining suitable person for the purpose of obtaining a license to carry a firearm and extending the term of the license. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Welch for the Majority of Criminal Justice and Public Safety. This bill removes the term “suitable person” from the licensing statute for a concealed weapons license. The Department of Safety objects to the change which substitutes the phrase “unless the applicant is prohibited by New Hampshire statute from both owning and possessing a firearm.” This change makes it impossible for a police chief to deny an applicant who may own a firearm but because of that individual’s drinking problem might not be suitable to carry a firearm concealed. If this language is adopted and a NH statute prohibited someone from possessing a firearm but did not prohibit the person from owning a firearm, the license would have to be issued because it states “owning and possessing.” The current language of “suitable person” makes sense because it is difficult to imagine all the possible conditions that may make the applicant an unsuitable person. A person may have a past history of displaying a hair trigger temper or little self-control. He may have demonstrated other traits that would make a reasonable person doubt the applicant’s ability to safely handle a firearm. There have been relatively few denials over the years and even fewer problems with those who currently possess a license to carry a concealed, loaded firearm. Vote 13-3.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill removes the term “suitable person” for the purpose of obtaining a license to carry a firearm and it extends the term of the license from four to five years. The existing statute requires a selectman of a town, mayor, chief of police, full time police officer or sheriff to evaluate individuals who have submitted a license application. They are asked to use the undefined term: “and the applicant is a suitable person to be licensed.” The minority argues that this term is too broad and gives no assistance to the issuer. This bill strikes that nebulous term and replaces it with the clear language of “unless the applicant is prohibited by New Hampshire statute from both owning and possessing a firearm.” The minority believes this change will better assist the issuer as to what parameter should be used during evaluation and issuance.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Hoell spoke against.

Rep. Welch spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 173    NAYS 123**

**YEAS - 173**

**BELKNAP**

Fields, Dennis	Flanders, Donald	Gallagher, Brian	Hurt, George
Spanos, Peter	Tilton, Franklin		

**CARROLL**

Butler, Edward	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Johnsen, Gladys	Ley, Douglas	Mann, John
Pearson, William	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

**COOS**

Fothergill, John	Hatch, William	Moynihn, Wayne	Tholl, John
Thomas, Yvonne			

**GRAFTON**

Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Smith, Suzanne	Sykes, George
Townsend, Charles			

**HILLSBOROUGH**

Backus, Robert  
 Beaulieu, Jane  
 Christiansen, Lars  
 Freitas, Mary  
 Hansen, Peter  
 Jack, Martin  
 Mangipudi, Latha  
 Palmer, Barry  
 Porter, Marjorie  
 Shattuck, Gilman  
 Soucy, Timothy  
 Walsh, Robert

Balcom, John  
 Belanger, James  
 Cornell, Patricia  
 Gidge, Kenneth  
 Heath, Mary  
 Jeudy, Jean  
 Manley, Jonathan  
 Pellegrino, Anthony  
 Roberts, Carol  
 Shaw, Barbara  
 Sullivan, Daniel  
 Wolf, Terry

Baroody, Benjamin  
 Brown, Pamela  
 Cote, David  
 Guerette, C. Lee  
 Hinch, Richard  
 LeBrun, Donald  
 McNamara, Richard  
 Peterson, Ken  
 Rosenwald, Cindy  
 Smith, Timothy  
 Takesian, Charlene

Barry, Richard  
 Christensen, Chris  
 Donovan, Daniel  
 Haefner, Robert  
 Hopper, Gary  
 Leishman, Peter  
 O'Brien, Michael  
 Pierce, David  
 Rowe, Robert  
 Snow, Kendall  
 Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
 Doherty, David  
 Gile, Mary  
 Karrick, David  
 MacKay, James  
 Sauderson, George

Bartlett, Christy  
 Ebel, Karen  
 Henle, Paul  
 Kenison, Linda  
 Myler, Mel  
 Schuett, Dianne

Carson, Clyde  
 Frazer, June  
 Hess, David  
 Kotowski, Frank  
 Ratzki, Mario  
 Shurtleff, Stephen

Deloge, Helen  
 French, Barbara  
 Hirsch, Geoffrey  
 Luneau, David  
 Rice, Chip  
 Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick  
 Borden, David  
 Cushing, Robert  
 Doucette, Fred  
 Gordon, Pamela  
 Katsakiores, Phyllis  
 McBeath, Rebecca  
 Packard, Sherman  
 Sytek, John  
 Weyler, Kenneth

Azarian, Gary  
 Bush, Carol  
 DeSimone, Debra  
 Ferrante, Beverly  
 Griffin, Mary  
 Kolodziej, Walter  
 Milz, David  
 Pantelakos, Laura  
 Thomas, Douglas

Barnes, Arthur  
 Cahill, Michael  
 Devine, James  
 Francese, Paula  
 Heffron, Frank  
 Lovejoy, Patricia  
 Nigrello, Robert  
 Peckham, Michele  
 Ward, Gerald

Berrien, Skip  
 Christie, Andrew  
 DiFranco, Debbie  
 Friel, William  
 Hoelzel, Kathleen  
 Matthews, Carolyn  
 O'Connor, John  
 Simpson, Alexis  
 Welch, David

**STRAFFORD**

Baber, William  
 Gray, James  
 Southworth, Thomas  
 Treleaven, Susan

Bixby, Peter  
 Horrigan, Timothy  
 Spang, Judith  
 Wall, Janet

Burton, Wayne  
 Schmidt, Peter  
 Sprague, Dale

DiSesa, Len  
 Smith, Marjorie  
 Stevens, Audrey

**SULLIVAN**

Gagnon, Raymond  
 Oxenham, Lee

Gottling, Suzanne  
 Schmidt, Andrew

Grenier, James  
 Smith, Steven

Irwin, Virginia

**NAYS - 123****BELKNAP**

Aldrich, Glen  
 LeBreche, Shari

Dumais, Russell  
 Sylvia, Michael

Fraser, Valerie  
 Vadney, Herbert

Howard, Jr., Raymond

**CARROLL**

Avellani, Lino  
 McCarthy, Frank

Buco, Thomas  
 McConkey, Mark

Comeau, Ed  
 Nelson, Bill

Cordelli, Glenn  
 Wright, Ted

**CHESHIRE****COOS**

Hunt, John

McConnell, James

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ingbreton, Paul

Darrow, Stephen  
Johnson, Eric

Gionet, Edmond  
White, Andrew

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Danielson, David  
Estevez, Eric  
Gorman, Mary  
Infantine, William  
McLean, Mark  
Notter, Jeanine  
Rice, Kimberly  
Seidel, Carl  
Sweeney, Shawn

Ammon, Keith  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Gould, Linda  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Rouillard, Claire  
Simmons, Tammy  
Twombly, Timothy

Biggie, Barbara  
Christie, Rick  
Edelblut, Frank  
Gagne, Larry  
Griffin, Barbara  
Marston, Dick  
Murotake, David  
Parison, James  
Sanborn, Laurie  
Smith, Gregory  
Ulery, Jordan

Boehm, Ralph  
Coffey, James  
Edwards, Elizabeth  
Goley, Jeffrey  
Hogan, Edith  
McCarthy, Peggy  
Murphy, Keith  
Proulx, Mark  
Schleien, Eric  
Sullivan, Victoria

**MERRIMACK**

French, Harold  
Kuch, Bill  
McGuire, Carol

Hill, Gregory  
Long, Douglas  
McGuire, Dan

Hoell, J.R.  
Marple, Richard  
Seaworth, Brian

Horn, Werner  
Martin, John  
Turcotte, Alan

**ROCKINGHAM**

Abramson, Max  
Chase, Francis  
Emerick, J. Tracy  
Hodgdon, Bruce  
Potucek, John  
Spillane, James  
Vose, Michael

Baldasaro, Alfred  
Cook, Allen  
Gannon, William  
Itse, Daniel  
Prudhomme-O'Brien, Katherine  
Sweeney, Joe  
Ward, Joanne

Bates, David  
Dean-Bailey, Yvonne  
Green, Dennis  
Kappler, Lawrence  
Rice, Frederick  
Tilton, Rio

Cardon, G. Thomas  
Duarte, Joe  
Harris, Jeffrey  
Osborne, Jason  
Schroadter, Adam  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Bickford, David  
Hannon, Joseph  
Mullen, John

Cheney, Catherine  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard

**SULLIVAN**

Cloutier, John  
and the majority committee report was adopted.

Converse, Larry

Laware, Thomas

Rollins, Skip

**HB 1546-FN**, permitting the audio recording of a public servant performing a public function. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill as amended will allow New Hampshire to become a one-party consent state to record oral communications between two people. Currently there are 39 states that allow one-party consent to record oral communications between two people. We also heard that under *Glik v. Cunniffe*, 655 F.3d 78 (1st Cir. 2011) the United States Court of Appeals for the First Circuit held that a private citizen has the right to record video and audio of public officials in a public place, and that the arrest of the citizen for a wiretapping violation violated his First and Fourth Amendment rights. The bipartisan majority agrees it is time for NH to join the other 39 states and allow one-party consent to record oral communications between two people. Vote 10-4.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. The laudable goal of this bill as introduced was to increase government transparency and accountability and protect the right to free expression. Unfortunately, the practical impact of this bill as amended is to eliminate essential privacy protections that exist under current New Hampshire law. New Hampshire is one of about a dozen states that require all parties to a conversation to consent to be recorded under RSA 570-A:2.

This is often referred to as “two-party” or “dual” consent. The purpose of our consent wiretapping statute as currently written is to protect innocent citizens from undue surveillance, whether by the state or other private individuals. It is intended to protect individuals’ right to an expectation of privacy in their private conversations. This bill would severely weaken these protections and put the privacy of Granite Staters at risk. Moreover, the right to record the police and other government actors is already protected under the First Amendment of the U.S. Constitution. This protection was just recently confirmed by the federal appellate court with jurisdiction over New Hampshire in the case *Gericke v. Begin*, 753 F. 3d (1st Cir. 2014). NH law needs to protect our rights to privacy, not erode them by passing this bill.

### Majority Amendment (0731h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the prohibition on interception and disclosure of telecommunication or oral communications.

Amend the bill by replacing all after section 1 with the following:

2 Repeal. RSA 570-A:2, I-a, relative to the penalty for knowing interception of a telecommunication or oral communication without consent, is repealed.

3 Effective Date. This act shall take effect January 1, 2017.

### AMENDED ANALYSIS

The bill permits the interception of telecommunication or oral communications if at least one party consents to the recording. The bill also repeals the criminal penalty for the knowing interception of a telecommunication or oral communication without the consent of all parties to the communication, or the consent of one party as part of a criminal investigation.

### MOTION TO LAY ON THE TABLE

Rep. Burt moved that **HB 1546-FN**, permitting the audio recording of a public servant performing a public function, be laid on the table.

Motion adopted.

### MOTION TO PRINT REMARKS

Without objection, the Speaker ordered the remarks made by Rep. Burt during his Parliamentary Inquiry on **HB 1546-FN**, permitting the audio recording of a public servant performing a public function, be printed in the Permanent Journal.

### REMARKS ON HB 1546-FN

**Representative Burt:** Thank you, Mister Speaker. Mister Speaker, I would like to make a motion and I’ll speak very briefly on tabling HB 1549, 46, sorry.

**Speaker Jasper:** Rep. Burt moves that HB 1546 be laid upon the table and he is recognized for a parliamentary inquiry.

**Representative Burt:** Parliamentary inquiry? Okay, I’m glad I brought my sheet. Thank you, Mister Speaker. Mister Speaker, if I know that I put in an amendment on this bill, and if I also know, Mister Speaker, that it is rare that I am wrong? But, if I further know, Mister Speaker, I am wrong on this bill and lastly, Mister Speaker, if I promise not to call any more roll calls, will you please vote no and press the green button to table? Thank you.

### REGULAR CALENDAR CONT’D

**HB 1614-FN**, relative to the criminal penalty for prostitution. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laura Pantelakos for the Majority of Criminal Justice and Public Safety. The committee heard extensive testimony on this bill about the intersection between prostitution, sexual assault, and human trafficking - all of which are being exacerbated by opioid abuse here in New Hampshire. At the present time, the committee feels that passage of this bill, which, in part, would legalize prostitution for those over the age of 18, would be premature and could result in extensive unintended consequences. The committee has already voted to unanimously pass another bill, HB 1628, that will make it a class B felony to engage in sexual contact with a person under the age of 18, thus enhancing protections for minors who are trafficking victims and achieving what the second part of



this bill sought to do, which is a prudent step in the right direction. There are several statewide and regional multidisciplinary commissions working on the issues of prostitution and human trafficking and the committee feels it best to explore these issues further with input from stakeholders including victims, sex workers, law enforcement and victim advocates so that we can move forward knowing what is being done and what remains to be accomplished here in New Hampshire. Vote 13-3. Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill establishes that consensual sex between consenting adults should not be illegal. In addition, the bill protects persons under the age of 18 from anyone using force or intimidation to be involved in prostitution. Any person that uses such tactics against a juvenile under this legislation would be subject to a felony. It is the minority opinion that this is a balanced approach toward consensual sex between adults, who mutually agree to the act, and the abhorrent behavior of sex slavery and human trafficking.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Edwards spoke against and yielded to questions.

### MOTION TO LAY ON THE TABLE

Rep. Murphy moved that **HB 1614-FN**, relative to the criminal penalty for prostitution, be laid on the table.

On a division vote, with 152 members having voted in the affirmative, and 145 in the negative, the motion was adopted.

### REGULAR CALENDAR CONT'D

**HB 1631-FN**, relative to penalties for possession of marijuana. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Martin for the Majority of Criminal Justice and Public Safety. The committee heard much testimony both for and against passage of this bill and was also subject to a very intense executive session and there are strong feelings on both sides of the issue. One fact that was frequently raised was that New Hampshire has already passed a medical marijuana bill and that we should take the next step. The only drawback to this argument is that, while medical marijuana has been approved, the system is not yet in place for delivery, and as such there is no information as to the performance or shortfalls of the system. Another argument was over the legalization of tobacco and alcohol and how marijuana would be another revenue stream. Legalizing anything in order to generate revenue is not good legislative policy, let alone another dangerous substance that can be and is abused. Marijuana was recognized as a dangerous substance, and to emphasize that point, some of the angriest testimony we heard was from self-admitted marijuana users. There was also much testimony from treatment providers against the bill and a very well prepared presentation from high school students outlining the perceived problems in high school. After initially passing in executive session, it was subsequently moved for reconsideration to amend the bill. Although the amendment passed, the bill was voted ITL on the second go around. Another consideration is that New Hampshire is investing a lot of time and money in the current drug crisis. To that end, we are hearing many bills that deal with expanding the availability of substances with the potential for abuse or addiction. It sends the wrong message to try to reduce one abused substance by offering substitutes. It would be counter-productive to increase the prevalence or facilitate the ease of acquiring any unsafe substance at this time. Vote 7-6.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority believes it is time to stop making citizens who possesses a small amount of marijuana criminals, and instead treat marijuana as a public health matter. This bill reforms NH marijuana laws to make possession of a small amount of marijuana a violation, subject to a fine, instead of a misdemeanor crime subject to arrest, jail time, and a criminal record. It is similar to the steps taken by 19 other states, including all other New England states, to decriminalize marijuana possession, and is similar to decriminalization legislation that has been passed by the House six times since 2008. This bill does not endorse the use of marijuana, nor ignore the problems that can be associated with its use. Instead, it suggests that limited law enforcement and court resources should be applied more wisely and in accordance with public opinion. A UNH/WMUR poll released in July 2015 indicated that 72% of Granite Staters support decriminalizing marijuana. The bill provides that an individual could possess up to one-half ounce of marijuana without being subject to misdemeanor arrest, includes escalating fines for repeat violations and maintains current laws outlawing marijuana cultivation and sale. This bill seeks to stop making criminals out of citizens by placing our marijuana laws more in line with voter opinion, the New Hampshire Constitution, and common sense.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
 Rep. Martin spoke in favor.  
 Rep. Schroader spoke against and yielded to questions.  
 Rep. Marston spoke in favor.  
 Rep. Maes requested a roll call; sufficiently seconded.

**YEAS 104 NAYS 193****YEAS - 104****BELKNAP**

Dumais, Russell	Fields, Dennis	Flanders, Donald	Hurt, George
LeBreche, Shari	Russell, David	Spanos, Peter	Tilton, Franklin

**CARROLL**

Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Umberger, Karen		

**CHESHIRE**

Abbott, Michael	Hunt, John
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**COOS**

Fothergill, John	Hatch, William	Tholl, John	Thomas, Yvonne
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**GRAFTON**

Almy, Susan	Bailey, Brad	Cooney, Mary	Ladd, Rick
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**HILLSBOROUGH**

Barry, Richard	Belanger, James	Biggie, Barbara	Brown, Pamela
Christiansen, Lars	Cote, David	Goley, Jeffrey	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Hansen, Peter
Hinch, Richard	Hogan, Edith	LeBrun, Donald	Leishman, Peter
Manley, Jonathan	Marston, Dick	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Rouillard, Claire	Rowe, Robert
Seidel, Carl	Snow, Kendall		

**MERRIMACK**

Ebel, Karen	Hess, David	Hill, Gregory	Kenison, Linda
Kotowski, Frank	Kuch, Bill	Martin, John	Schuett, Dianne
Shurtleff, Stephen			

**ROCKINGHAM**

Abrami, Patrick	Azarian, Gary	Bates, David	Bush, Carol
Cahill, Michael	Chase, Francis	DeSimone, Debra	Devine, James
Ferrante, Beverly	Francese, Paula	Friel, William	Gannon, William
Green, Dennis	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Matthews, Carolyn	McKinney, Betsy	Nigrello, Robert	O'Connor, John
Packard, Sherman	Pantelakos, Laura	Prudhomme-O'Brien, Katherine	Rice, Frederick
Sytek, John	Thomas, Douglas	Tilton, Rio	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	

**STRAFFORD**

Graham, Robert	Gray, James	Groen, Warren	Mullen, John
Schmidt, Peter	Southworth, Thomas	Sprague, Dale	Wuelper, Kurt

**SULLIVAN**

Grenier, James	Smith, Steven
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**NAYS - 193****BELKNAP**

Aldrich, Glen  
Sylvia, Michael

Fraser, Valerie  
Vadney, Herbert

Gallagher, Brian

Howard, Jr., Raymond

**CARROLL**

Avellani, Lino  
Ticehurst, Susan

Buco, Thomas  
Wright, Ted

Butler, Edward

Comeau, Ed

**CHESHIRE**

Ames, Richard  
Johnsen, Gladys  
Pearson, William  
Shepardson, Marjorie

Berch, Paul  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Bordenet, John  
Mann, John  
Robertson, Timothy  
Tilton, Benjamin

Chase, Cynthia  
McConnell, James  
Sad, Tara  
Weber, Lucy

**COOS**

Moynihan, Wayne

Rideout, Leon

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Johnson, Eric  
Sykes, George

Darrow, Stephen  
Higgins, Patricia  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Hull, Robert  
Massimilla, Linda  
White, Andrew

Gionet, Edmond  
Ingbretson, Paul  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Christensen, Chris  
Danielson, David  
Edwards, Elizabeth  
Gagne, Larry  
Hopper, Gary  
Lachance, Joseph  
McLean, Mark  
Murphy, Keith  
Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Soucy, Timothy  
Takesian, Charlene  
Walsh, Robert

Ammon, Keith  
Boehm, Ralph  
Christie, Rick  
Donovan, Daniel  
Estevez, Eric  
Gidge, Kenneth  
Infantine, William  
Long, Patrick  
McNamara, Richard  
O'Brien, Michael  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Daniel  
Twombly, Timothy  
Wolf, Terry

Backus, Robert  
Burt, John  
Coffey, James  
Eastman, Eric  
Ferreira, Elizabeth  
Gorman, Mary  
Jack, Martin  
Mangipudi, Latha  
Moore, Josh  
Ohm, Bill  
Rice, Kimberly  
Schleien, Eric  
Smith, Gregory  
Sullivan, Victoria  
Ulery, Jordan

Baroody, Benjamin  
Byron, Frank  
Cornell, Patricia  
Edelblut, Frank  
Freitas, Mary  
Heath, Mary  
Jeudy, Jean  
McCarthy, Peggy  
Murotake, David  
Parison, James  
Roberts, Carol  
Shattuck, Gilman  
Smith, Timothy  
Sweeney, Shawn  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Horn, Werner  
MacKay, James  
Myler, Mel  
Seaworth, Brian

Bartlett, Christy  
Frazer, June  
Henle, Paul  
Karrick, David  
Marple, Richard  
Ratzki, Mario  
Turcotte, Alan

Carson, Clyde  
French, Barbara  
Hirsch, Geoffrey  
Long, Douglas  
McGuire, Carol  
Rice, Chip  
Wheeler, Deborah

Deloge, Helen  
French, Harold  
Hoell, J.R.  
Luneau, David  
McGuire, Dan  
Saunderson, George

**ROCKINGHAM**

Abramson, Max  
Borden, David  
Cook, Allen  
Doucette, Fred  
Heffron, Frank

Baldasaro, Alfred  
Cardon, G. Thomas  
Cushing, Robert  
Duarte, Joe  
Itse, Daniel

Barnes, Arthur  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Lovejoy, Patricia

Berrien, Skip  
Christie, Andrew  
DiFranco, Debbie  
Gordon, Pamela  
McBeath, Rebecca

Milz, David  
Schroadter, Adam  
True, Chris

Osborne, Jason  
Simpson, Alexis  
Vose, Michael

Peckham, Michele  
Spillane, James  
Ward, Gerald

Potucek, John  
Sweeney, Joe

### STRAFFORD

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Pitre, Joseph  
Treleaven, Susan

Beaudoin, Steven  
Cheney, Catherine  
Jones, Laura  
Smith, Marjorie  
Turcotte, Leonard

Bickford, David  
DiSesa, Len  
Kaczynski, Jr., Thomas  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Hannon, Joseph  
Leeman, Don  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

and the majority committee report failed.

Rep. Cushing moved the minority committee report of Ought to Pass.

Minority committee report adopted and ordered to third reading.

### **HB 1645, relative to carrying a pistol or revolver without a license. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Geoffrey Hirsch for the Majority of Criminal Justice and Public Safety. This bill makes it lawful to carry a loaded firearm exposed in an automobile. This can create serious safety risks to others in the vehicle, including children. This will also increase potential risks for accidental discharges, expose law enforcement to risks during routine traffic stops, and leave weapons more available for theft. Existing law, which prohibits transportation of loaded guns in vehicles, has served New Hampshire well since 1923 and makes even more sense today. This bill simply creates too many public safety concerns. Vote 8-5.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill amends the statute, RSA 159:4, relating to carrying a pistol or revolver concealed in a vehicle. The open display of a firearm is established in New Hampshire, holstered on the hip, shoulder, or thigh, anywhere it can be secured and in plain view. Existing law is in conflict with open carry when an individual who legally open carries then moves into a vehicle. The law then states that an individual needs to be licensed. The minority argues that the act of concealing can only be described as placing the firearm under a shirt, under a pant leg, obliterating the visual cue of the firearm. For example, if an observer is looking at the left hip of a person openly carrying a firearm, but the firearm is holstered on the right hip, it cannot be seen initially, but is considered "open carry." Therefore, it can be concluded that if the same individual sits in a vehicle with said firearm on the hip, shoulder, or thigh, secured in plain view and the firearm is not visually obliterated, the act is not concealed.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Spillane spoke against and yielded to questions.

Rep. Hirsch spoke in favor.

Rep. Ammon requested a roll call; sufficiently seconded.

**YEAS 149 NAYS 146**

### **YEAS - 149**

#### **BELKNAP**

Fields, Dennis

Flanders, Donald

Russell, David

Tilton, Franklin

#### **CARROLL**

Butler, Edward  
Umberger, Karen

Nelson, Bill

Parker, Harold

Ticehurst, Susan

#### **CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Ley, Douglas  
Robertson, Timothy  
Tilton, Benjamin

Bordenet, John  
Mann, John  
Sad, Tara  
Weber, Lucy

**COOS**

Fothergill, John  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Tholl, John

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Massimilla, Linda  
White, Andrew

Almy, Susan  
Higgins, Patricia  
Smith, Suzanne

Cooney, Mary  
Ladd, Rick  
Sykes, George

Ford, Susan  
Maes, Kevin  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Gorman, Mary  
Heath, Mary  
Mangipudi, Latha  
O'Brien, Michael  
Roberts, Carol  
Smith, Timothy  
Takesian, Charlene

Baroody, Benjamin  
Cornell, Patricia  
Guerette, C. Lee  
Hinch, Richard  
Manley, Jonathan  
Palmer, Barry  
Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

Barry, Richard  
Cote, David  
Haefner, Robert  
Leishman, Peter  
Marston, Dick  
Pierce, David  
Rowe, Robert  
Soucy, Timothy  
Walsh, Robert

Beaulieu, Jane  
Freitas, Mary  
Hansen, Peter  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel

**MERRIMACK**

Alicea, Caroletta  
Doherty, David  
Gile, Mary  
Karrick, David  
Myler, Mel  
Schuett, Dianne

Bartlett, Christy  
Ebel, Karen  
Henle, Paul  
Kenison, Linda  
Ratzki, Mario  
Shurtleff, Stephen

Carson, Clyde  
Frazer, June  
Hess, David  
Kotowski, Frank  
Rice, Chip  
Turcotte, Alan

Deloge, Helen  
French, Barbara  
Hirsch, Geoffrey  
Luneau, David  
Saunderson, George

**ROCKINGHAM**

Abrami, Patrick  
Borden, David  
Devine, James  
Gordon, Pamela  
Lovejoy, Patricia  
Peckham, Michele  
Webb, James

Azarian, Gary  
Cahill, Michael  
DiFranco, Debbie  
Griffin, Mary  
Matthews, Carolyn  
Simpson, Alexis  
Welch, David

Barnes, Arthur  
Christie, Andrew  
Ferrante, Beverly  
Heffron, Frank  
McBeath, Rebecca  
Ward, Gerald

Berrien, Skip  
Cushing, Robert  
Francese, Paula  
Hoelzel, Kathleen  
Pantelakos, Laura  
Ward, Joanne

**STRAFFORD**

Baber, William  
Gray, James  
Southworth, Thomas  
Treleven, Susan

Bixby, Peter  
Horrigan, Timothy  
Spang, Judith  
Wall, Janet

Burton, Wayne  
Schmidt, Peter  
Sprague, Dale

DiSesa, Len  
Smith, Marjorie  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

**NAYS - 146****BELKNAP**

Aldrich, Glen  
Howard, Jr., Raymond  
 Sylvia, Michael

Dumais, Russell  
Hurt, George  
Vadney, Herbert

Fraser, Valerie  
LeBreche, Shari

Gallagher, Brian  
Spanos, Peter

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Buco, Thomas  
McConkey, Mark

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn  
Wright, Ted

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**Bailey, Brad  
Ingretson, PaulDarrow, Stephen  
Johnson, Eric

Gionet, Edmond

Hull, Robert

**HILLSBOROUGH**Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Danielson, David  
Estevez, Eric  
Griffin, Barbara  
Jack, Martin  
McCarthy, Peggy  
Murphy, Keith  
Pellegirino, Anthony  
Rouillard, Claire  
Shaw, Barbara  
Sweeney, ShawnAmmon, Keith  
Boehm, Ralph  
Christiansen, Lars  
Donovan, Daniel  
Ferreira, Elizabeth  
Hogan, Edith  
Jeudy, Jean  
McLean, Mark  
Notter, Jeanine  
Peterson, Ken  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, TimothyBalcom, John  
Burt, John  
Christie, Rick  
Eastman, Eric  
Gagne, Larry  
Hopper, Gary  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Proulx, Mark  
Schleien, Eric  
Smith, Gregory  
Ulery, JordanBelanger, James  
Byron, Frank  
Coffey, James  
Edelblut, Frank  
Goley, Jeffrey  
Infantine, William  
LeBrun, Donald  
Murotake, David  
Parison, James  
Rice, Kimberly  
Seidel, Carl  
Sullivan, Victoria  
Wolf, Terry**MERRIMACK**French, Harold  
Kuch, Bill  
Martin, JohnHill, Gregory  
Long, Douglas  
McGuire, CarolHoell, J.R.  
MacKay, James  
McGuire, DanHorn, Werner  
Marple, Richard  
Seaworth, Brian**ROCKINGHAM**Abramson, Max  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Harris, Jeffrey  
Katsakiores, Phyllis  
O'Connor, John  
Pudhomme-O'Brien, Katherine  
Sweeney, Joe  
True, ChrisBaldasaro, Alfred  
Chase, Francis  
DeSimone, Debra  
Friel, William  
Hodgdon, Bruce  
Kolodziej, Walter  
Osborne, Jason  
Rice, Frederick  
Sytek, John  
Vose, MichaelBates, David  
Chirichiello, Brian  
Doucette, Fred  
Gannon, William  
Itse, Daniel  
Milz, David  
Packard, Sherman  
Schroadter, Adam  
Thomas, Douglas  
Weyler, KennethBush, Carol  
Cook, Allen  
Duarte, Joe  
Green, Dennis  
Kappler, Lawrence  
Nigrello, Robert  
Potucek, John  
Spillane, James  
Tilton, Rio**STRAFFORD**Beaudoin, Steven  
Groen, Warren  
Leeman, Don  
Wuelper, KurtBickford, David  
Hannon, Joseph  
Mullen, JohnCheney, Catherine  
Jones, Laura  
Pitre, JosephGraham, Robert  
Kaczynski, Jr., Thomas  
Turcotte, Leonard**SULLIVAN**

Converse, Larry

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

**MOTION TO SUSPEND HOUSE RULES**

Rep. Hinch moved that House Rules be so far suspended as to allow the remainder of bills on today's calendar be made Special Orders for the next Session date of March 23, 2016.

On a division vote, with 275 members having voted in the affirmative, and 25 in the negative, the motion was adopted by the necessary two-thirds vote.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, March 23, 2016 at 10:00 a.m.

**LATE SESSION****Third Reading and Final Passage**

- HB 1252**, permitting employers to pay wages to employees weekly or biweekly.
- HB 1301**, relative to the issuance of youth employment certificates.
- HB 1322**, relative to reports to the public employee labor relations board.
- HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.
- HB 1382**, relative to the referendum procedure for public water systems.
- HB 1455**, relative to the application of the municipal budget law to village districts wholly within a town.
- HB 1508**, allowing public libraries to run certain privacy software.
- HB 1349**, relative to the Merrimack county superior court.
- HB 2016**, relative to the state 10-year transportation improvement program.
- HB 297**, protecting individual customer data from disclosure by a public utility.
- HB 1116**, relative to net metering.
- HB 1148**, relative to pipeline capacity contracts.
- HB 1288**, relative to the National Guard force protection policy.
- HB 1132**, relative to carrying a loaded rifle or loaded shotgun in certain vehicles.
- HB 1154-FN**, authorizing and regulating the use of license plate scanning devices.
- HB 1445-FN**, relative to tinted windows on motor vehicles.
- HB 1198-FN-L**, relative to the valuation of poles and conduits owned by telephone utilities.
- HB 1247**, relative to poker in private residences.
- HB 1117**, establishing a child support maximum under the guidelines based on the parents' combined income.
- HB 1236**, relative to hearings on modifications of parental rights and responsibilities.
- HB 1248**, relative to the waiver of counsel in juvenile delinquency proceedings.
- HB 1280**, relative to grounds for modification of parental rights and responsibilities.
- HB 1188**, relative to the brew pub license.
- HB 1227**, repealing provisions of law regulating Sunday business activities.
- HB 1339**, relative to the corporate governance annual disclosure act.
- HB 1340**, relative to producer licensing.
- HB 1478**, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments.
- HB 1540-FN**, relative to direct shipments of beer.
- HB 1451**, relative to the annulment of certain criminal offenses.
- HB 1547**, prohibiting bestiality.
- HB 1599-FN**, relative to shining a laser pointing device at an aircraft or vessel, or at another person.
- HB 1626-FN**, relative to drug take-back programs.
- HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation.
- HB 1232**, relative to visits to schools by non-academic government or private organizations.
- HB 1329**, relative to transportation of alcoholic beverages.
- HB 1370**, relative to termination of tenancy.
- HB 1250**, relative to medical neglect of children.
- HB 1471**, relative to parental rights.
- HB 1608-FN**, relative to uniform prior authorization forms.
- HB 1697-FN**, relative to the operation and insurance of transportation network companies.
- HB 1631-FN**, relative to penalties for possession of marijuana.

**UNANIMOUS CONSENT**

Rep. Almy requested Unanimous Consent of the House regarding the correction of a Parliamentary Inquiry and addressed the House.

**RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 9:30 p.m.

**RECESS**

**(Speaker Jasper in the Chair)**

**RESOLUTION**

Rep. Packard offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 301, 305, 306, 310, 320, 321, 323, 325, 329, 330, 334, 339, 344, 353, 358, 363, 368, 370, 383, 384, 386, 388, 389, 400, 403, 406, 418, 419, 420, 424, 433, 436, 441, 442, 446, 449, 450, 458, 461, 465, 467, 468, 471, 477, 478, 483, 484, 487, 489, 498, 500, 501, 512, 517, 523, 524, 530, 534, 536, 537, 538, 543, 545, 549 and 550 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.  
Motion adopted.

**INTRODUCTION OF SENATE BILLS****First, second reading and referral**

- SB 301**, relative to the consumption of liquor at sports complexes. (Commerce and Consumer Affairs)
- SB 305**, including fermented pear juice in the definition of cider. (Commerce and Consumer Affairs)
- SB 306**, enabling the sampling of beer or wine at farmers' markets. (Commerce and Consumer Affairs)
- SB 310**, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies. (Executive Departments and Administration)
- SB 320**, relative to non-academic surveys administered by a public school to its students. (Education)
- SB 321**, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. (Science, Technology and Energy)
- SB 323**, relative to the use of force by employees of hospitals or other health care facilities. (Health, Human Services and Elderly Affairs)
- SB 325**, relative to vaccines administered by pharmacists. (Health, Human Services and Elderly Affairs)
- SB 329**, revising the nurse licensure compact. (Executive Departments and Administration)
- SB 330-FN**, relative to licensure of medical imaging professionals and radiation therapists. (Executive Departments and Administration)
- SB 334**, establishing a commission to study the planning functions of the office of energy and planning. (Science, Technology and Energy)
- SB 339-FN**, relative to required DNA analysis for certain offenses. (Criminal Justice and Public Safety)
- SB 344-FN**, relative to tax credits applicable to client companies of employee leasing companies. (Ways and Means)
- SB 353**, relative to names on ballots. (Election Law)
- SB 358**, relative to use of navigation devices in motor vehicles. (Transportation)
- SB 363**, relative to the definition of owner of an OHRV or snowmobile. (Resources, Recreation and Development)
- SB 368-FN-A**, making a capital appropriation for department of environmental services monitoring equipment. (Public Works and Highways)
- SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Education)
- SB 383**, establishing a commission to study the importance of hiking trails, trail maintenance, and New Hampshire's trail network. (Resources, Recreation and Development)
- SB 384**, relative to the feeding of wild deer. (Fish and Game and Marine Resources)



- SB 386**, adding biodiesel to electric renewable energy sources. (Science, Technology and Energy)
- SB 388**, requiring a public hearing on proposed changes to the state retiree group insurance plan. (Executive Departments and Administration)
- SB 389-FN**, relative to the penalty for possession of multiple firearms. (Criminal Justice and Public Safety)
- SB 400**, relative to executive branch ethics. (Executive Departments and Administration)
- SB 403**, relative to the sale of gift certificates with expiration dates. (Commerce and Consumer Affairs)
- SB 406-FN**, relative to classification of certain state employee positions. (Executive Departments and Administration)
- SB 418**, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws. (Election Law)
- SB 419-FN**, relative to requests by law enforcement officials under the law governing the therapeutic use of cannabis. (Health, Human Services and Elderly Affairs)
- SB 420-FN**, relative to aid to the permanently and totally disabled. (Health, Human Services and Elderly Affairs)
- SB 424-FN**, relative to transition provisions for licensure of master licensed alcohol and drug counselors, and establishing a committee to study licensure of alcohol and drug counselors. (Executive Departments and Administration)
- SB 433**, relative to exclusions from seasonal highway weight limit regulation. (Transportation)
- SB 436**, relative to after market automobile parts. (Transportation)
- SB 441-FN**, relative to discounts and admission without charge at state parks. (Resources, Recreation and Development)
- SB 442-L**, establishing a commission to study the taxability of lease interests in public property. (Ways and Means)
- SB 446**, relative to requirements of the state building code. (Executive Departments and Administration)
- SB 449**, relative to payment of workers' compensation benefits by direct deposit. (Labor, Industrial and Rehabilitative Services)
- SB 450**, relative to investments by insurance companies. (Commerce and Consumer Affairs)
- SB 458-FN**, relative to reporting by political committees. (Election Law)
- SB 461-FN**, relative to expenditures of the Winnepesaukee River Basin control program funds. (Resources, Recreation and Development)
- SB 465-FN**, relative to the nonconsensual dissemination of private sexual images. (Criminal Justice and Public Safety)
- SB 467-FN**, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. (Executive Departments and Administration)
- SB 468-FN**, relative to changes to the sex offender registry. (Criminal Justice and Public Safety)
- SB 471-FN**, relative to parking for persons with disabilities. (Transportation)
- SB 477-FN**, relative to nonemergency involuntary admissions. (Health, Human Services and Elderly Affairs)
- SB 478-FN**, permitting the online renewal of a nondriver's picture identification card. (Transportation)
- SB 483-FN**, establishing a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years. (Education)
- SB 484**, relative to the role of the Winnepesaukee River advisory board. (Resources, Recreation and Development)
- SB 487**, relative to missing vulnerable adults. (Health, Human Services and Elderly Affairs)
- SB 489**, requiring a demonstration project using a Stirling engine system. (Science, Technology and Energy)
- SB 498-FN**, relative to penalties for possession of certain controlled drugs. (Criminal Justice and Public Safety)
- SB 500-FN**, relative to student health insurance plans. (Commerce and Consumer Affairs)
- SB 501-FN**, prohibiting the possession of powdered or crystalline alcohol. (Commerce and Consumer Affairs)
- SB 512**, relative to health care associated infections. (Health, Human Services and Elderly Affairs)
- SB 517-FN**, increasing the amount deducted from a fine for each day of a person's incarceration. (Criminal Justice and Public Safety)

**SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form. (Health, Human Services and Elderly Affairs)

**SB 524**, relative to state procurement card rebates. (Executive Departments and Administration)

**SB 530-FN**, establishing a commission to study volunteer health care services. (Health, Human Services and Elderly Affairs)

**SB 534-FN**, to implement a system of care for children's behavioral health. (Health, Human Services and Elderly Affairs)

**SB 536**, relative to emergency interim relief under the child protection act. (Children and Family Law)

**SB 537**, relative to record management of abuse and neglect reports. (Children and Family Law)

**SB 538**, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities. (Children and Family Law)

**SB 543-FN**, relative to private transferring of adopted children. (Children and Family Law)

**SB 545**, proclaiming August as Cure all Cancer month. (Executive Departments and Administration)

**SB 549-FN**, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission. (Public Works and Highways)

**SB 550-FN**, relative to the maximum gross weight for dump trailers. (Transportation)

### SENATE MESSAGES

#### CONCURRENCE WITH AMENDMENT

**SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission.

#### CONCURRENCE

**HB 301**, establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level data.

**HB 536**, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.

#### NONCONCURRENCE

**HB 359**, allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction.

**HB 471**, relative to the duties of school boards.

**HB 1604-FN-A-L**, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

### RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.

Motion adopted.

## HOUSE JOURNAL NO. 10

Wednesday, March 23, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Creator God, as each day comes to an end, You shroud Your creatures in the depths of night, so that we learn to appreciate the brightness of the sun. Whatever name we may give our faith, each one of us knows another kind of darkness: those times when our hearts are heavy with sorrow, fear, confusion or loss, and in this age of violence and terror, we encounter darkness on an even larger scale. We give You thanks, O God, for the promise of light. We thank You for the knowledge that not even the darkest pit can claim us as long as we trust in You. We praise You for the many ways Your hope and healing break into the black night of our despair, bright rays that pierce the darkness and restore our souls. Today, as we grieve with our brothers and sisters in Belgium, as our hearts break over the senseless loss of life, we praise You for Your glorious blessing of new life, especially evident this day in the birth of baby Henry. We give You thanks for his safe arrival, and for all the many ways You remind us that light is more powerful than darkness; life is the conqueror of death; love is greater than fear. Amen.

Representative LeBrun, member from Nashua, led the Pledge of Allegiance.

Representative Mary Gile of Concord, Representative Victoria Sullivan of Manchester, Representative Mel Myler of Contoocook, and Representative John Balcom of Merrimack led the singing of the National Anthem.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the victims of the attacks in Brussels, Belgium.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Comtois, Doucette, Gargas, Gidge, Kellogg, Moody, Priestley, Sanders, Verschueren and Wright, the day, illness.

Reps. Beaudoin, Goulette, Martha Hennessey, Hirsch, Oligny, Piper, Shaw, Gregory Smith, Timothy Smith, Soucy, Tamburello and Whitehouse, the day, important business.

Rep. Fromuth, the day, illness in the family.

### INTRODUCTION OF GUESTS

Bojan Jovanovic and Leo Hoffman, exchange students at Milford High School, Pages for the day. Debra and Zachary Schleien, mother and brother of Rep. Schleien. Dick Osborne and Mandy Gennaro, guest of Rep. Suzanne Smith. The Honorable Linda Tanner, former member from Georges Mills, guest of Rep. Irwin. Students from Proctor Academy in Andover, guests of Reps. Ratzki and Ebel. Fourth graders from Lincoln Street School in Exeter, guests of the Exeter Delegation.

## HOUSE RESOLUTION 20

### Memorializing State Representative Robert Luther of Laconia

**WHEREAS** we have learned with profound sorrow of the death of our friend and colleague Robert A. Luther, who was serving his third term as a State Representative representing the citizens of Belknap County District 3, the city of Laconia; and

**WHEREAS** Robert Luther served with diligence and enthusiasm on the committees on Constitutional Review and Statutory Recodification, Judiciary, and Election Law where his chairs praised him with "he was a thoughtful and loyal member of the Judiciary committee, at a time when his health was not the best he never complained and went to great lengths to honor what he believed to be his responsibility to his constituents and the House," and "he was always dependable, helpful, and easy to work with;" and

**WHEREAS** as a United States Navy veteran, a police officer in Gilford and Laconia, and a security officer at Lakes Region General Hospital, Robert Luther embodied the notion of protecting his country, community and those who needed medical assistance; and

**WHEREAS** Robert Luther was an active participant in local, as well as state government, having served on the Laconia city council for thirteen years, and he took a particular interest in his service as a member of the Belknap County Delegation, serving on multiple subcommittees and the county executive committee; now, therefore, be it

**RESOLVED**, by the House of Representatives in Regular Session convened, Robert A. Luther be granted the highest praise and accolades and our profound thanks for his service to his country, the state, and the city he called home for 44 years, and, be it further

**RESOLVED**, that expressions of our most heartfelt sympathy be extended to his family and that a suitable copy of this Resolution be prepared for presentation to them.

Offered by the House of Representatives and adopted unanimously.

### **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the Representative from Laconia, the Honorable Robert A. Luther.

### **REMARKS BY THE SPEAKER**

Please join me in congratulating the Clerk on the birth of his son Henry.

### **SENATE MESSAGES**

#### **REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 527**, requiring school districts employing school resource officers to adopt a written agreement. (Amendment printed SJ 3-10-16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

**HB 628-FN**, relative to indemnification of health care provider facilities under certain circumstances. (Amendment printed SJ 2-4-16)

Rep. Kotowski moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Fothergill, Kotowski, Sherman and MacKay.

### **CONSENT CALENDAR**

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor, removed by Rep. Goley.

Consent Calendar adopted.

**HB 1594-FN**, relative to emergency medical services. **OUGHT TO PASS.**

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill makes it a misdemeanor to knowingly give false information during the course of an investigation conducted by emergency medical services. The penalty is consistent with the crime of giving false information to law enforcement during the course of an investigation. Vote 16-0.

**HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill as amended enables the placement of a memorial or memorial plaque on school property in memory of an alumnus of a junior high or high school in a district who died during active duty, with the condition that the memorial or memorial plaque is approved by either the school board or approved as a warrant article at the annual school district meeting. Expenses associated with design, manufacture, installation or maintenance are not required of the municipality or school district; however, these entities are not precluded from offering fiscal support. The bill as amended places all decision making at the local level, either through the school board or the town meeting process. In summary, the bill as amended accomplishes the primary intent of respecting those who died while honorably serving our country on active duty, and secondly, the bill fully supports local control and eliminates any mandates. Vote 17-0.

**Amendment (1093h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Boards; Placement of Memorial or Memorial Plaque on School Property. Amend RSA 189 by inserting after section 18 the following new section:

189:18-a Memorial or Memorial Plaque on School Property. The placement of a memorial or memorial plaque on school property in memory of an alumnus of a junior high school or high school in the district who died honorably during active duty shall require approval from the school board or approval of a warrant article acted upon at the annual school district meeting. The cost for design, manufacture, installation, or maintenance of the memorial shall not be a charge to the state, any municipality, or the school district. This section shall not apply to the addition of names to already existing memorials or to plans for memorials initiated by the municipality or school district.

2 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill permits, with the approval of the school board or by an approved warrant article at the annual school district meeting, the placement of a memorial or a memorial plaque on school property to honor alumni who have died honorably during active duty.

**HB 1404-FN**, relative to certain director positions in the insurance department. **OUGHT TO PASS.** Rep. David Danielson for Finance. This bill establishes eight new unclassified positions in the Department of Insurance and will result in the elimination of the same number of classified positions, as there is no additional appropriation to cover any additional costs. There are no general funds involved. Vote 26-0.

**HB 1630-FN-L**, relative to calculating the base cost of an adequate education. **INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Weyler for Finance. Parts of this bill have been dealt with in other legislation. We heard the third grade math proficiency issue in both HB 218 and HB 242, and asked to have further information on this issue before committing state funds. The House also made changes in the adequacy distribution in HB 1 and HB 2; these changes would be revised yet again by this bill. Consequently, the committee determined this bill was not necessary at this time. Vote 26-0.

**HB 1644-FN**, relative to screening and treatment for dyslexia and related disorders and establishing a reading specialist in the department of education. **OUGHT TO PASS WITH AMENDMENT.** Rep. Susan Ford for Finance. This bill provides for screening and intervention for dyslexia and related disorders. It establishes a reading specialist position at the Department of Education to support students having difficulty reading and provide school districts with best practices of reading instruction. The position will be funded by a grant available to the department. Vote 26-0.

**Amendment (1092h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Screening and Intervention for Dyslexia and Related Disorders. Amend RSA 200 by inserting after section 52 the following new subdivision:

Screening and Intervention for Dyslexia and Related Disorders

200:53 Definitions. In this subdivision:

I. "Dyslexia" means a specific learning disability that is:

- (a) Neurobiological in origin;
- (b) Characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities that typically result from a deficit in the phonological component of language; and
- (c) Often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and may include secondary consequences such as reading comprehension problems, and reduced reading experience that can impede growth of vocabulary and background knowledge.

II. "Potential indicators or risk factors of dyslexia and related disorders" means indicators that include, but shall not be limited to, difficulty in acquiring language skills, inability to comprehend oral or written language, difficulty in rhyming words, difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words, difficulty recognizing and remembering sight words, consistent transposition of number sequences, letter reversals, inversions, and substitutions, and trouble in replication of content.

III. "Related disorders" includes disorders similar to or related to dyslexia, such as a phonological processing disorder, reading fluency disorder, and dysphasia.

200:54 Screening and Intervention for Dyslexia and Related Disorders.

I. School districts shall screen all public school students, including English learners, using the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) or an equivalent cost effective screener for the identification of potential indicators or risk factors of dyslexia and related disorders upon enrollment in public school kindergarten or first grade, and at appropriate times thereafter, to monitor progress. Beginning in 2017, such screening shall be completed no later than November 30 of each school year.

II. The student's school district shall provide age-appropriate, evidence-based, intervention strategies for any student who is identified as having characteristics that are associated with potential indicators or risk factors of dyslexia and related disorders beginning no later than January 1, 2018.

III. The parent or legal guardian of any student who is identified by the public school as having characteristics that are associated with potential indicators or risk factors of dyslexia and related disorders shall be notified and provided with all screening information and findings, in addition to periodic formal screening results based on individual written intervention and support plans developed with the student's parents or legal guardian.

IV. A parent or legal guardian of any student who is identified as having characteristics that are associated with potential indicators or risk factors of dyslexia and related disorders has the right to submit the results of an independent evaluation from a licensed reading or intervention specialist highly trained in dyslexia, and related disorders for consideration by the student's school district. A parent or legal guardian who submits an independent evaluation shall assume all fiscal responsibility for that independent evaluation.

200:55 Reading Specialist.

I. There is hereby established in the department of education the position of reading specialist, a temporary classified position until June 30, 2017, which shall be funded by existing sources available to the department.

II. No later than January 1, 2017, the commissioner of the department of education shall designate a reading specialist to enable the department to provide school districts with the support and resources necessary to assist students with dyslexia and related disorders and their families. The reading specialist shall provide technical assistance for dyslexia and related disorders to school districts.

III. The reading specialist shall:

(a) Be trained and certified in best practice interventions and treatment models for dyslexia, with expertise in related disorders, and dysgraphia.

(b) Have a minimum of 3 years of field experience in screening, identifying, and treating dyslexia and related disorders.

(c) Be responsible for the implementation of professional awareness.

(d) Serve as the primary source of information and support for school districts to address the needs of students with dyslexia and related disorders, and dysgraphia.

200:56 Teacher Professional Development and Training.

I. No later than June 30, 2017, the reading specialist shall develop and make available a program to ensure all New Hampshire teachers and school administrators have access to materials to support professional awareness of best practices on:

(a) Recognition of the characteristics of dyslexia and related disorders, and dysgraphia.

(b) Evidence-based interventions and accommodations for dyslexia and related disorders, and dysgraphia.

II. The reading specialist and the council for teacher education established in RSA 190 shall collaborate to ensure that all teacher education programs offered at New Hampshire's public institutions of higher education provide explicit professional awareness of best practices on:

(a) Recognition of characteristics of dyslexia and related disorders, and dysgraphia.

(b) Evidence-based interventions and accommodations for dyslexia and related disorders, and dysgraphia.

200:57 Dyslexia Resource Guide. No later than June 30, 2017, the reading specialist shall develop and publish on the department of education's Internet website, a reading support resource guide to be used by school districts as a resource. The reading specialist shall solicit the advice of experts in the fields of dyslexia and related disorders, and dysgraphia in the development of the guide. The reading specialist shall update the guide as necessary.

#### AMENDED ANALYSIS

This bill requires the commissioner of the department of education to designate a reading specialist to provide support and resources to school districts for identifying and assisting students with dyslexia and related disorders and their families.

This bill is a request of the committee to study policies which it determines are necessary for dyslexic students (2015, 172).

**HB 1695-FN**, establishing an office of health services planning and review within the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cindy Rosenwald for Finance. This bill establishes a process for development and compilation of publicly available data on health system patient safety, cost, quality, access, system performance, and financing. As amended, the Commissioner of Health and Human Services shall report to the Fiscal Committee on a funding plan and progress of the inter-departmental memorandum of understanding by October 1, 2016. The amendment clarifies there is no general fund appropriation in the bill. Finally, the amendment also requires the legislative budget assistant to assess the feasibility of evaluating cost-effectiveness of state-funded programs using available research studies. There is an interim report date of November 1, 2016, with the final report due one year later. Vote 25-1.

#### Amendment (1058h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies.

Amend RSA 126-A:70, V as inserted by section 1 of the bill by replacing it with the following:

V. The commissioner, in consultation with the council, shall enter into a memorandum of understanding with the insurance commissioner and attorney general for collaboration in the development of the publicly available information specified in paragraph I. The memorandum of understanding shall include a description of the resources that shall be made available to the department and shall specifically identify data and reports which shall be shared with the department. The commissioner shall submit a report on the implementation of the memorandum of understanding, including the cost to make the health system public data resource plan and to meet other requirements set forth in this subdivision, to the fiscal committee of the general court, established in RSA 14:30-a, on or before October 1, 2016. The report shall be subject to review and comment by the fiscal committee.

Amend RSA 126-A:70, VII as inserted by section 1 of the bill by replacing it with the following:

VII. The department, in consultation with the council, shall make the health system public data resource plan and meet other requirements set forth in this subdivision, subject to sufficient and available funding. No additional general funds shall be appropriated for this subdivision for the biennium ending June 30, 2017.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Office of Legislative Budget Assistant; Cost Effectiveness of Programs Within State Agencies.

I. The legislative budget assistant, in collaboration with the department of administrative services and such other organizations as he or she may wish to consult, shall evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state-funded programs. The process for determining cost effectiveness shall include, but not be limited to, the following steps:

(a) Systematically assessing high-quality studies from the United States and elsewhere to identify policy options that have been tried and tested and found to achieve improvements in outcomes.

(b) Determining the cost to produce the results found in subparagraph (a) in this state, determining the benefits from such an improved outcome, and calculating the net present value thereof.

(c) Assessing the risk in the estimates to determine the probability that a particular policy option's benefits will outweigh its costs.

(d) Ranking programs in state agencies based on net present value and risk.

II. The department of administrative services and each state agency shall furnish to the legislative budget assistant information, excluding information otherwise confidential under law, he or she may request in the course of carrying out the duties under this section in a mutually agreeable and compatible format.

III. The legislative budget assistant shall make an initial report by November 1, 2016, on the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. If the legislative budget assistant determines that calculating cost effectiveness is feasible, he or she shall make a final report on or before November 1, 2017, including recommendations for legislation, to the commissioner of administrative services, the chairpersons of the house and senate finance committees, the speaker of the house of representatives, the president of the senate, the state library, and the governor.

### AMENDED ANALYSIS

This bill establishes a health system public data resource plan for New Hampshire. Under this bill, the commissioner of the department of health and human services, the insurance commissioner, and the attorney general shall enter into a memorandum of understanding to collaborate in the development of publicly available information on health care system patient safety, cost, quality, access, and system performance, and information pertaining to the delivery and financing of the health care system in New Hampshire. The bill also establishes a health system public data resource planning council to provide consultation for the development of a 10-year health system public data resource plan for New Hampshire. The bill also establishes a fund for the implementation and administration of the requirements of the plan.

The bill also requires the office of the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs.

### **HB 1298, relative to damage to private property. OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Kenison for Judiciary. This bill as amended puts in statute the rights of a landowner when dealing with someone that has dumped waste on their land or done damage to their land through illegal OHRV and snowmobile use. Currently, the landowner's right of redress is an action for trespass or claims for damages through a court action. These remedies do not always adequately compensate landowners for all the costs they incur and the outcomes are inconsistent. The bill will correct this by creating a "private right of action" for a landowner against any person who dumps waste on their property or vandalizes it through illegal OHRV or snowmobile use. This bill gives the court jurisdiction to enforce those remedies and the committee believes the penalties contained in the bill will provide a strong deterrent against anyone seeking to illegally dump or vandalize private property. This bill has broad support from a number of state agencies, landowner, conservation and recreation groups including, the New Hampshire Department of Resources and Economic Development (Division of Forest and Lands and Trails Bureau), New Hampshire Department of Environmental Services, New Hampshire Fish and Game Department, New Hampshire Snowmobile Association, New Hampshire Farm Bureau Federation, Society for the Protection of New Hampshire Forests, and the New Hampshire Timberland Owners Association. There was no testimony in opposition to this bill. Vote 16-1.

### **Amendment (1001h)**

Amend RSA 149-P:1, II as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding any rules adopted by the department of environmental services, any ordinance adopted by a municipality, or any provision of law, any person, as defined in RSA 147-A:2, XII, who without authorization, intentionally, recklessly, or negligently discharges, spills, releases, pollutes, disposes, dumps, leaks, injects, or places oil, gasoline, diesel fuel, fuel oil, motor oil, automotive oil, gasoline ethers, offensive matter, hazardous waste, waste, refuse, or solid waste as those terms are defined in RSA 146-A through RSA 149-O, upon the land of another, shall be liable to the owner of the land.

Amend RSA 149-P:1, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Obtain a court order requiring the person causing the discharge to contain, clean up, and remediate the discharge at such person's expense;

Amend the bill by replacing section 3 with the following:



3 New Subparagraph; Penalties; OHRV/Operator Responsibilities; Damage to Public or Private Property. Amend RSA 215-A:19, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the OHRV has resulted in damage to public or private property.

Amend RSA 215-A:19, X(a) and (b) as inserted by section 4 of the bill by replacing it with the following:

(a) The cost of clean-up and restoration to the prior condition of the lands;

(b) Multiple damages of up to 3 times actual damages, based upon the level of culpability for the conduct, as determined by the trier of fact; and

Amend RSA 215-C:34, I(a)(1) as inserted by section 5 of the bill by replacing it with the following:

(1) To the owner of any lands where trees, shrubs, **roads**, or other property have been damaged as a result of travel over [~~his or her~~] **the owner's** premises by such vehicles.

**HB 372**, relative to certain private employers under workers' compensation. **REFER FOR INTERIM STUDY.**

Rep. Andrew White for Labor, Industrial and Rehabilitative Services. As written, this bill would exempt one group (small farms) from the workers' compensation requirements if payroll is less than \$10,000 per year. The bill contained several unintended consequences for both the employer and the employee that were of significant concern for the committee. The committee strongly supports the sponsors' intent and the motion will allow us to explore several options that were presented but could not be explored due to the impending deadline. Vote 14-0.

**HB 1292**, relative to the use of abandoned agricultural property. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. This bill was before the Municipal and County Committee as a second committee. It passed the first committee, Environment and Agriculture, with a 17-0 vote and was approved on the consent calendar. It simply makes a minor change to the wording of the statute dealing with agricultural property that had dropped into disuse and was to be used for farming again. It changes the descriptive word "disuse" to "abandonment." This committee agrees with the first committee in recommending passage of this bill. Vote 15-0.

**HB 586-FN-L**, relative to registration of automobile utility trailers. **REFER FOR INTERIM STUDY.**

Rep. Robert Nigrello for Ways and Means. The committee agrees with the sponsors to explore expanding access to trailer registrations. Interim Study would allow us to flush out the process and possibly focus on the revenue expected from tractor trailers only. Vote 17-1.

**HB 1182-FN**, establishing a committee to study fees for sales of wine by manufacturers. **OUGHT TO PASS.**

Rep. Joseph Lachance for Ways and Means. This bill establishes a study committee to report on fees for sales of wine by manufacturers licensed in New Hampshire. The duties of the committee shall include an examination of federal reporting requirements and a determination of what fee would be revenue neutral if NH switches from the current percentage of sales fee to a per gallon fee for wine manufacturers. The Ways and Means Committee agrees with the policy committee, Commerce and Consumer Affairs, that this issue should be studied. Vote 16-2.

**HB 1568-FN-A**, relative to prepaid road tolls for electric vehicles. **REFER FOR INTERIM STUDY.**

Rep. Bill Ohm for Ways and Means. In reviewing the bill for revenue impact, the committee was concerned that the cost of setting up the program would exceed the revenue received. Consequently the bill needs further work, and Interim Study is recommended. Vote 18-0.

**HB 1584-FN**, relative to the discharge of a person committed for nonpayment of a fine. **OUGHT TO PASS.**

Rep. Robert Nigrello for Ways and Means. The bill increases the monetary value of time served for non-payment of a fine. The Ways and Means Committee agrees that the new value is appropriate. Vote 18-0.

**HB 1590-FN-A-L**, relative to the regulation and taxation of short-term rental businesses. **OUGHT TO PASS.**

Rep. Brian Gallagher for Ways and Means. This bill requires advertisements by short-term rental businesses to display the Meals and Rooms Tax license number of the operator. The fee for such license remains unchanged. The Department of Revenue Administration is supportive of having operators properly display the Meals and Rooms Tax license number certificate, as well as, ensuring enhancement of the proper collection of the Meals and Rooms fees due the State of New Hampshire. Vote 18-0.

**HB 1647-FN**, repealing laws regulating hawkers and peddlers and itinerant vendors. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. This bill would repeal RSA 320 relative to state licensure of hawkers and peddlers and RSA 321 relative to state licensure of itinerant vendors. The elimination of these licenses would reduce state revenue by \$24,750 according to the Secretary of State. Municipalities that have no ordinances on these types of vendors would not be able to recoup the cost of background checks that they would need to perform to ensure that these are reputable businesses temporarily coming into their borders. The committee also felt that the system in place, including the current fee structure, is working very well and that there is no need to repeal these statutes. Vote 17-0.

**HB 1655-FN**, relative to the municipal registration fee for an agricultural/industrial utility vehicle used exclusively for farming or agriculture. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The bill fixes an oversight in a 2014 law change (Ch. 282, Laws of 2014, SB 231) that allowed some towns to increase fees on working vehicles that rarely use our roads. The Ways & Means Committee amendment follows the policy committee's intent of including identical vehicles in reversing the 2014 change to town fees. Vote 17-0.

**Amendment (1012h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the municipal registration fee for an agricultural/industrial utility vehicle.

Amend RSA 261:153, I as inserted by section 1 of the bill by replacing it with the following:

I. The treasurer of each city, or such other person as the city government may designate, and the town clerk of each town shall collect fees for such permits as follows: on each vehicle offered for registration a sum equal to 18 mills on each dollar of the maker's list price for a current model year vehicle, 15 mills on each dollar of the maker's list price for the first preceding model year vehicle, 12 mills on each dollar of the maker's list price for the second preceding model year vehicle, 9 mills on each dollar of the maker's list price for the third preceding model year vehicle, 6 mills on each dollar of the maker's list price for the fourth preceding model year vehicle, and 3 mills on each dollar of the maker's list price for the fifth preceding model year vehicle and any model year prior thereto. In no event, however, shall the fee be less than \$5. Registration permit fees for construction equipment, as defined in RSA 259:42, shall be governed by RSA 261:64. The director shall make the final determination of any vehicle model year in any case in which a dispute arises. The fee collected hereunder for a vehicle used only in the manner and for the purposes specified in RSA 261:82 *and for an agricultural/industrial utility vehicle, as defined in RSA 259:2-a*, shall be \$5; and provided further, that the fee collected hereunder for a farm tractor shall be \$5. In cases of doubt, the director may investigate for the purpose of determining eligibility for limited purpose registrations.

**AMENDED ANALYSIS**

This bill establishes the municipal registration fee for an agricultural/industrial utility vehicle.

**HB 1685-FN**, relative to mortgage bankers, brokers, and servicers. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill simply repeals RSA 397-A and reenacts it in a more concise manner. The statute has to do with licensing of nondepository mortgage bankers, brokers, and services. The committee verified that all the fees in the original statute have not changed in the statute as proposed by this bill. Therefore, the committee had no objection to this statute as rewritten. Vote 17-0.

**MOTION TO PRINT DEBATE**

Rep. White moved that the debate, including Parliamentary Inquiries, on the reconsideration motion from March 10, 2016, on **HB 2016**, relative to the state 10-year transportation improvement program, be printed in the Permanent Journal.

Rep. Rosenwald requested a roll call; sufficiently seconded.

**YEAS 140 NAYS 191**

**YEAS - 140**

**BELKNAP**

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael

Chase, Cynthia

Mann, John

Robertson, Timothy

Weber, Lucy

Ames, Richard

Eaton, Daniel

Parkhurst, Henry

Sad, Tara

Tilton, Benjamin

Johnsen, Gladys

Pearson, William

Shepardson, Marjorie

Berch, Paul

Ley, Douglas

Phillips, Larry

Tatro, Bruce

**COOS**

Frobург, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard

Ford, Susan

Nordgren, Sharon

White, Andrew

Almy, Susan

Higgins, Patricia

Smith, Suzanne

Bennett, Travis

Maes, Kevin

Sykes, George

Cooney, Mary

Massimilla, Linda

Townsend, Charles

**HILLSBOROUGH**

Griffin, Barbara

Cohen, Alan

Eastman, Eric

Freitas, Mary

Hansberry, Daniel

Lachance, Joseph

Mangipudi, Latha

Brown, Pamela

Rosenwald, Cindy

Williams, Kermit

Backus, Robert

Cornell, Patricia

Edwards, Elizabeth

Goley, Jeffrey

Harvey, Suzanne

LeBrun, Donald

Manley, Jonathan

Porter, Marjorie

Schleien, Eric

Woodbury, David

Beaulieu, Jane

Cote, David

Ferreira, Elizabeth

Gorman, Mary

Heath, Mary

Leishman, Peter

McNamara, Richard

Proulx, Mark

Shattuck, Gilman

Roberts, Carol

DiSilvestro, Linda

Forest, Armand

Guerette, C. Lee

Jack, Martin

O'Brien, Michael

O'Neil, William

Walsh, Robert

Vann, Ivy

**MERRIMACK**

Turcotte, Alan

Bradley, Paula

Doherty, David

Frazer, June

Moffett, Howard

Rogers, Katherine

Alicea, Caroletta

Rice, Chip

Ebel, Karen

Kenison, Linda

Myler, Mel

Saunderson, George

French, Barbara

Carson, Clyde

Gile, Mary

Luneau, David

Patten, Dick

Schuett, Dianne

Bartlett, Christy

Deloge, Helen

Henle, Paul

MacKay, James

Ratzki, Mario

Wheeler, Deborah

**ROCKINGHAM**

Berrien, Skip

DiFranco, Debbie

Lovejoy, Patricia

Pantelakos, Laura

Borden, David

Francesse, Paula

McBeath, Rebecca

Sherman, Thomas

Cahill, Michael

Ward, Gerald

McKinney, Betsy

Simpson, Alexis

Cali-Pitts, Jacqueline

Heffron, Frank

Gordon, Pamela

Tucker, Pamela

**STRAFFORD**

Baber, William

DiSesa, Len

Kaen, Naida

Spang, Judith

Bixby, Peter

Gardner, Janice

Smith, Marjorie

Stevens, Audrey

Burton, Wayne

Horrigan, Timothy

Schmidt, Peter

Treleaven, Susan

Cilley, Jacalyn

Ward, Kenneth

Southworth, Thomas

Wall, Janet

**SULLIVAN**

Schmidt, Andrew

Irwin, Virginia

Cloutier, John

Laware, Thomas

Converse, Larry

O'Hearne, Andrew

Gottling, Suzanne

Oxenham, Lee

## NAYS - 191 BELKNAP

Aldrich, Glen  
Flanders, Donald  
Russell, David  
Varney, Peter

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Howard, Raymond  
Fraser, Valerie

Fields, Dennis  
Hurt, George  
Vadney, Herbert

## CARROLL

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill

## CHESHIRE

Bordenet, John  
McConnell, James

Emerson, Susan  
Sterling, Franklin

Hunt, John

Roberts, Kris

## COOS

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

## GRAFTON

Bailey, Brad  
Johnson, Eric  
Shackett, Jeffrey

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

## HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Gould, Linda  
Hinch, Richard  
Rice, Kimberly  
McClarren, Donald  
Notter, Jeanine  
Pellegrino, Anthony  
Ober, Russell  
Scotsas, Lisa  
Souza, Kathleen  
Twombly, Timothy  
Zaricki, Nick

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Estevez, Eric  
Haefner, Robert  
Hogan, Edith  
Kurk, Neal  
McLean, Mark  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Stepanek, Stephen  
Ulery, Jordan

Balcom, John  
Burt, John  
Danielson, David  
Flanagan, Jack  
Halstead, Carolyn  
Hopper, Gary  
Ober, Lynne  
Moore, Josh  
McCarthy, Peggy  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Straight, Phillip  
Sullivan, Victoria

Barry, Richard  
Byron, Frank  
Donovan, Daniel  
Gagne, Larry  
Hansen, Peter  
Belanger, James  
Marston, Dick  
Murotake, David  
Palmer, Barry  
Christie, Rick  
Sanborn, Laurie  
Snow, Kendall  
Takesian, Charlene  
Wolf, Terry

## MERRIMACK

Brewster, Michael  
French, Harold  
Horn, Werner  
Kuch, Bill  
Seaworth, Brian

McGuire, Carol  
Hess, David  
Karrick, David  
Marple, Richard  
Walsh, Thomas

Long, Douglas  
Hill, Gregory  
Kidder, David  
Martin, John  
Wallner, Mary Jane

McGuire, Dan  
Hoell, J.R.  
Kotowski, Frank  
Parent, Jason

## ROCKINGHAM

Abrami, Patrick  
Baldasaro, Alfred  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Elliott, Robert  
Fesh, Robert  
Guthrie, Joseph

Abramson, Max  
Barnes, Arthur  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Friel, William  
Harris, Jeffrey

Allen, Mary  
Bates, David  
Cook, Allen  
Devine, James  
Chase, Francis  
Gannon, William  
Hodgdon, Bruce

Azarian, Gary  
Bush, Carol  
Thomas, Douglas  
Duarte, Joe  
Ferrante, Beverly  
Green, Dennis  
Hoelzel, Kathleen

Introne, Robert	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Kolodziej, Walter	Lundgren, David	Griffin, Mary	Major, Norman
Manning, John	Matthews, Carolyn	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Potucek, John
Prudhomme-O'Brien, Katherine	Gordon, Richard	Tilton, Rio	Spillane, James
Sytek, John	True, Chris	Vose, Michael	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	

### STRAFFORD

Berube, Roger	Bickford, David	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Thomas
Turcotte, Leonard	Leeman, Don	Mullen, John	Pitre, Joseph
Wuelper, Kurt			

### SULLIVAN

Grenier, James                      Rollins, Skip                      Smith, Steven  
and the motion failed.  
Rep. Wallner voted Nay and intended to vote Yea.

### REGULAR CALENDAR - PART I

**HB 280-FN**, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Eaton for the Majority of Finance. While very well intended, HB 280 would have significant unintended consequences. The bill starts out offering several new plate options to military vets that already have numerous plate options. To start this new option, the bill spends \$285,000 from the plate fund for a new program in a non-budget year, a fund that is already millions of dollars short due to prior legislative "borrowing." To allow the plate fund to break even, 57,000 new plates would have to be sold. Currently, there are 34,000 veteran plates in all categories. It must be assumed that many of the new plate purchases would come from the existing veteran plate population along with some from the current 51,000 moose and park plates further diminishing funds from already needy programs. It is easy to see that this will take years to just come even with replenishing the plate fund. Each year there are a few requests for new plates. HB 280 goes to the extreme of inviting any 501c(3) to apply for special plates by placing that language in statute. Not only is there the cost and time of an unprecedented number of bills, HB 280 will open the floodgates to every 501c(3) organization to request a special 3x3 inch sticker on their plate, thereby changing license plates from identifiers to advertisers. Finally, for the first time, we will be politicizing license plates, potentially creating the "lawyers relief act of 2016" and risking litigation costs for the foreseeable future depending on the political whims of the day and whether one or another 501c(3) is approved or not. Vote 14-12.

Rep. Karen Umberger for the Minority of Finance. The majority has overlooked the position of the House on the policy in HB 280. There will be only one plate created to which a service decal available only from the Office of Veterans' Services, for a \$10 fee, will be attached. If future 501c(3) organizations are approved there will be no additional costs for the Department of Safety to issue plates. In order for a person to obtain the new plate there is an additional \$15 cost. We do not anticipate this plate will result in any reduction in the number of moose plate or state parks plates issued, but it is likely to result in veterans choosing to display their service on the new decal license plate rather than using the current veteran plates. We do not believe HB 280 will result in politicizing license plates. This bill is a giant step forward to allowing special recognition for our veterans.

The question now being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Steven Smith spoke against and yielded to questions.

Rep. Baldasaro spoke against.

Rep. Eaton spoke in favor and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

**YEAS 103 NAYS 249****YEAS - 103****BELKNAP**

Sylvia, Michael	Vadney, Herbert
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**CARROLL**

Buco, Thomas	Ticehurst, Susan
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**CHESHIRE**

Ames, Richard	Berch, Paul	Bordenet, John	Eaton, Daniel
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William

**COOS**

Froburg, Alethea	Thomas, Yvonne
------------------	----------------

**GRAFTON**

Bennett, Travis	Ford, Susan	Nordgren, Sharon	Brown, Rebecca
Townsend, Charles			

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Booras, Efsthathia	Roberts, Carol
Cornell, Patricia	Cote, David	Sullivan, Daniel	DiSilvestro, Linda
Edwards, Elizabeth	Freitas, Mary	Goley, Jeffrey	Gorman, Mary
Gould, Linda	Guerette, C. Lee	Hansberry, Daniel	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Leishman, Peter
Mangipudi, Latha	Murotake, David	O'Neil, William	Palmer, Barry
Rosenwald, Cindy	Rowe, Robert	Scotsas, Lisa	Shattuck, Gilman
Snow, Kendall	Souza, Kathleen	Takesian, Charlene	Vann, Ivy
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Rice, Chip
Deloge, Helen	Doherty, David	Ebel, Karen	Gile, Mary
Henle, Paul	Frazer, June	Karrick, David	Kenison, Linda
Kidder, David	MacKay, James	Marple, Richard	Myler, Mel
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Wallner, Mary Jane
Wheeler, Deborah			

**ROCKINGHAM**

Allen, Mary	Berrien, Skip	Cushing, Robert	Fesh, Robert
Francese, Paula	Ward, Gerald	Heffron, Frank	McBeath, Rebecca
McKinney, Betsy	Gordon, Pamela	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis			

**STRAFFORD**

Bickford, David	DiSesa, Len	Jones, Laura	Ward, Kenneth
Smith, Marjorie	Schmidt, Peter	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Wall, Janet	

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	O'Hearne, Andrew
Oxenham, Lee			

**NAYS - 249****BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Fisher, Robert	Flanders, Donald	Gallagher, Brian	Howard, Raymond
Hurt, George	LeBreche, Shari	Russell, David	Spanos, Peter
Fraser, Valerie	Varney, Peter		

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Nelson, Bill

Butler, Edward  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Johnsen, Gladys  
Phillips, Larry  
Sterling, Franklin

Tilton, Benjamin  
Hunt, John  
Robertson, Timothy  
Tatro, Bruce

Chase, Cynthia  
Roberts, Kris  
Sad, Tara  
Weber, Lucy

Emerson, Susan  
McConnell, James  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

Rappaport, Laurence  
Tholl, John

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Brown, Duane  
Gionet, Edmond  
Ladd, Rick  
Smith, Suzanne

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Maes, Kevin  
Sykes, George

Bailey, Brad  
Hennessey, Erin  
Hull, Robert  
Massimilla, Linda  
White, Andrew

Cooney, Mary  
Johnson, Eric  
Ingbretson, Paul  
Shackett, Jeffrey

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Danielson, David  
Estevez, Eric  
Gagne, Larry  
Hogan, Edith  
Jeudy, Jean  
Ober, Lynne  
Manley, Jonathan  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Porter, Marjorie  
Walsh, Robert  
Seidel, Carl  
Twombly, Timothy  
Wolf, Terry

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Donovan, Daniel  
Ferreira, Elizabeth  
Haefner, Robert  
Hopper, Gary  
Rice, Kimberly  
Lachance, Joseph  
Marston, Dick  
McNamara, Richard  
Ohm, Bill  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Simmons, Tammy  
Ulery, Jordan  
Zaricki, Nick

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Eastman, Eric  
Flanagan, Jack  
Halstead, Carolyn  
Belanger, James  
Kurk, Neal  
LeBrun, Donald  
Martel, Andre  
Moore, Josh  
Brown, Pamela  
Peterson, Ken  
Christie, Rick  
Sanborn, Laurie  
Stepanek, Stephen  
Sullivan, Victoria

Balcom, John  
Burt, John  
Cohen, Alan  
Edelblut, Frank  
Forest, Armand  
Hinch, Richard  
Jack, Martin  
Christiansen, Lars  
O'Brien, Michael  
McClarren, Donald  
Murphy, Keith  
McCarthy, Peggy  
Pierce, David  
Ober, Russell  
Schleien, Eric  
Straight, Phillip  
O'Brien, William

**MERRIMACK**

Turcotte, Alan  
Carson, Clyde  
Hess, David  
Kotowski, Frank  
Moffett, Howard  
Seaworth, Brian

French, Barbara  
Long, Douglas  
Hill, Gregory  
Kuch, Bill  
Parent, Jason  
Shurtleff, Stephen

Brewster, Michael  
McGuire, Dan  
Hoell, J.R.  
Luneau, David  
Patten, Dick  
Walsh, Thomas

McGuire, Carol  
French, Harold  
Horn, Werner  
Martin, John  
Ratzki, Mario

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Bush, Carol  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert

Abrami, Patrick  
Barnes, Arthur  
Cahill, Michael  
Cook, Allen  
Devine, James  
Emerick, J. Tracy

Abramson, Max  
Bates, David  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
DiFranco, Debbie  
Chase, Francis

Azarian, Gary  
Borden, David  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Ferrante, Beverly

Friel, William	Gannon, William	Green, Dennis	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Gordon, Richard	Tilton, Rio	Spillane, James
Sytek, John	True, Chris	Tucker, Pamela	Vose, Michael
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

### STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Horrigan, Timothy	Kaczynski, Thomas
Kaen, Naida	Turcotte, Leonard	Leeman, Don	Mullen, John
Pitre, Joseph	Wuelper, Kurt		

### SULLIVAN

Schmidt, Andrew	Converse, Larry	Grenier, James	Irwin, Virginia
Laware, Thomas	Rollins, Skip	Smith, Steven	

and the majority committee report failed.

Rep. Umberger moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (1089h).

### Minority Amendment (1089h)

Amend RSA 261-C:2, III as inserted by section 1 of the bill by replacing it with the following:

III. The state office of veterans services may issue decals to eligible veterans and shall collect a fee of \$10 for the decal. Revenue collected under this paragraph shall be restricted revenue to the office of veterans services and shall not lapse.

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect July 1, 2017.

Rep. Umberger spoke in favor.

Minority committee amendment adopted.

Minority committee report adopted and ordered to third reading.

**HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. This bill authorizes energy infrastructure development and designates energy infrastructure corridors, which require the Department of Transportation (DOT) to adopt an updated and revised utility accommodation manual that is approved by the federal government. This bill will allow developers to apply to use certain road right-of-ways as corridors for energy infrastructure. Should a developer desire to do this, an application must be submitted and within 30 days the DOT must verify if the submitted plan is complete or not. Once the plan is complete the DOT has 60 days to complete its conceptual study of the plan and issue a report, which is given both to the developer and the site evaluation committee [SEC]. Should the SEC approve the plan, then the developer will pay a lease fee to the DOT. According to the department, such lease fees may only be used for certain road construction projects. However, before developers may use the road right-of-ways, the DOT must revise its Utility Accommodation Manual. This manual must be approved by the federal government and placed on file both in the state and with the federal government before any developer may apply to use road right-of-ways. Therefore, a section of this bill requires the DOT to update this manual, which can be done at no additional cost to the DOT. After consultation with the DOT, the remainder of the bill will take effect after that manual is revised, updated, approved by the federal government and placed on file. Should the federal government not approve the use of these road right-of-ways for energy infrastructure development, this bill will not take effect. The costs and revenues associated with any additional corridor use is indeterminable. Vote 23-3.



**Amendment (1080h)**

Amend the title of the bill by replacing it with the following:

AN ACT authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. The legislature recognizes that high and volatile energy costs increasingly threaten the competitiveness of New Hampshire's businesses and industries and the financial resources of its electric ratepayers, and that new low-cost sources of energy are needed in order to stabilize and lower wholesale and retail electric rates in New Hampshire and New England. At the same time, as the state's citizens have become more aware of the value, to themselves and others, of New Hampshire's scenic natural landscapes, clean air, and unspoiled environment, it has become increasingly difficult to site and develop large-scale aboveground energy transmission lines from lower-cost neighboring regions. Such projects often face unacceptably high development costs, regulatory delays, and public opposition resulting from their potential adverse impacts on the state's most scenic natural landscapes, the value of adjoining and nearby private properties, and the comfort, health, and safety of adjacent homeowners. The general court therefore finds that it is in the public interest for the state to designate certain "energy infrastructure corridors" along, within, and under major state-owned transportation routes, for the underground collocation of major energy transmission lines necessary to promote balanced economic growth, reduce or mitigate high energy prices, and contribute to a cleaner and more natural environment, while providing the state highway fund with market-based revenues from private energy transmission companies in return for the use of such designated energy infrastructure corridors. The general court intends that the energy infrastructure corridors designated under this act are simply options for the siting of energy infrastructure and nothing in this act shall be construed as limiting the historic accommodation of utilities in all public rights of way.

2 New Chapter; Energy Infrastructure Development and Corridors. Amend RSA by inserting after chapter 162-Q the following new chapter:

**CHAPTER 162-R****ENERGY INFRASTRUCTURE DEVELOPMENT AND CORRIDORS****162-R:1 Definitions.**

I. "Energy infrastructure" includes high voltage DC or AC electric transmission facilities of 115 kV or greater, natural gas transmission lines, carbon dioxide pipelines, petroleum pipelines, and other energy transport pipelines or conduits.

II. "Energy infrastructure corridor" means an existing state-owned transportation right-of-way within which energy infrastructure could potentially be sited underground.

III. "Developer" means a person or legal entity that can demonstrate to the state the financial, technical, and managerial capability to engage in the development and construction of energy infrastructure.

IV. "Project" means the development or construction of energy infrastructure subject to site evaluation committee jurisdiction under RSA 162-H within an energy infrastructure corridor.

V. "Site evaluation committee" means the site evaluation committee established in RSA 162-H:3.

VI. "State-owned transportation right-of-way" means a highway or railroad right-of-way on land owned in fee by the state or a state agency or state authority.

VII. "Sufferance" means that the owner of energy infrastructure has no real property interest in the right-of-way, but merely occupies and uses the public right-of-way subject to terms and conditions established by the New Hampshire department of transportation.

**162-R:2 Energy Infrastructure Corridors Designated.**

I. In accordance with RSA 236:18, the state has the exclusive rights, insofar as they do not conflict with any federal statute, rule, or regulation, to build, lease, or utilize for any public purpose the space adjacent to (excluding the median) and below the toll highways and the interstate system highways within the state.

II. The following areas, owned by the state, are designated as energy infrastructure corridors:

(a) I-89 (between the intersection of I-93 and the Vermont border).

(b) I-93 (between the Massachusetts border and the Vermont border, excepting approximately 1.7 miles located in the White Mountain National Forest north of Franconia Notch state park).

(c) I-95 (between the Massachusetts border and the Maine border).

(d) NH Route 101 (between the intersection of I-93 and the intersection of I-95).

III. Nothing in this chapter shall require a developer of energy infrastructure to site or propose to site energy infrastructure, or any part thereof, within an energy infrastructure corridor designated under this chapter.

**162-R:3 Energy Infrastructure Proposal Application Process.**

I.(a) To initiate the application process, a developer may file with the department of transportation, a request for a preliminary conceptual feasibility study, including such project-specific information as the department may specify in accordance with the department's Utility Accommodation Manual.

(b) Within 30 days after such study request is filed, the department shall provide written notice to the developer, with a copy to the site evaluation committee, either accepting such study request as sufficiently complete to allow the department to evaluate the conceptual feasibility of the proposal and submit its recommendation to the committee, or specifying the additional information needed to complete its evaluation.

(c) Upon notice to the developer that the study request is deemed sufficiently complete for its purposes under subparagraph (a), the department shall have 60 days to determine whether and to what extent the proposed project route would be conceptually feasible within the applicable state-owned transportation right-of-way or rights-of-way, based on department standards and regulations.

(d) Within 60 days after notice to the developer that its submission has been deemed complete, the department shall submit its report on the conceptual feasibility of the project to the developer and the site evaluation committee, specifying any concerns or issues it believes the committee should consider in its review of the application.

II. The committee shall determine whether the application is complete, and shall proceed to review a completed application under RSA 162-H.

**162-R:4 Energy Infrastructure Proposal; Decision Criteria.**

I. The site evaluation committee shall evaluate and render a decision on an energy infrastructure proposal which chooses to use one or more designated energy infrastructure corridors pursuant to the provisions of this chapter.

II. The site evaluation committee may approve an energy infrastructure proposal for a project to be sited in whole or in part within one or more energy infrastructure corridors only if it finds that the project meets the criteria set forth in RSA 162-H.

**162-R:5 Use of Energy Infrastructure Corridors; Requirements.** Development and construction of energy infrastructure within an energy infrastructure corridor are governed by this section. No person shall engage in development or construction of energy infrastructure within an energy infrastructure corridor, unless such person is in compliance with applicable state and federal laws, rules, and regulations. Any development, construction, maintenance or use of energy infrastructure within an energy infrastructure corridor shall be at the sufferance of the department of transportation. All costs associated with installation, alteration, relocation (whether or not required by the department), and/or protection of energy infrastructure within an energy infrastructure corridor shall be the responsibility of the energy infrastructure developer or owner.

**162-R:6 Revenues.**

I. The department of transportation, right-of-way (ROW) appraisal bureau section, shall identify an initial estimate of the range of value for the use of state-owned land or assets within a designated energy infrastructure corridor and negotiate a value for such use with the developer. The actual and final value shall be subject to approval by the long range capital planning and utilization committee.

II. All revenues generated from the use of state-owned land or assets within energy infrastructure corridors designated under this chapter shall be deposited in the highway fund for use solely in state transportation programs funded in whole or in part by the Federal Highway Administration or other federal agencies and included in the state's 10-year transportation plan. Nothing in this section shall be deemed to affect the responsibility of a developer to pay separately to the site evaluation committee the fees required under RSA 162-H.

3 Updated and Revised Utility Accommodation Manual. The department of transportation shall update and revise its utility accommodation manual in order to provide for the optional use of the energy infrastructure corridors designated pursuant to RSA 162-R:2. The updated and revised manual shall be approved by the Federal Highway Administration no later than June 1, 2017.

4 Contingency. If the updated and revised utility accommodation manual required by section 3 of this act is adopted and approved by June 1, 2017, sections 1 and 2 of this act shall take effect July 1, 2017. If the updated and revised utility accommodation manual is not adopted and approved by June 1, 2017, sections 1 and 2 of this act shall not take effect. The commissioner of the department of transportation shall certify the date of approval of the manual to the secretary of state and the director of legislative services.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes procedures for approval of proposals for energy infrastructure development and designates energy infrastructure corridors. This bill is contingent upon the adoption and approval of an updated and revised department of transportation utility accommodation manual.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

### COMMUNICATION

March 23, 2016

Mr. Paul Smith  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Paul:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham County District No. 21

Michael A. Edgar, d, Hampton (7 Ann's Terrace) 03842

Sincerely,

William M. Gardner, Secretary of State

### REGULAR CALENDAR PART I CONT'D

**HB 636-FN**, relative to forfeiture of property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lynne Ober for Finance. This bill has three parts. A new section sets criteria that identifies property subject to criminal forfeiture. Another new section provides protection for an innocent owner whose property was seized. There is also a new section outlining procedures for disposition of unclaimed property and proceeds. Finally, the bill repeals the drug forfeiture fund at the end of the biennium, which allows the affected agencies to budget appropriately. Vote 18-7.

#### Amendment (0885H)

Amend the bill by inserting after section 6 the following and renumbering the original sections 7-8 to read as 8-9, respectively:

7 New Section; Budget and Appropriations; Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. Amend RSA 9 by inserting after section 4-e the following new section:

9:4-f Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. The department of justice shall include in its biennial operating budget request made pursuant to RSA 9:4, an appropriation to pay a portion of the costs of local, county, and state drug related investigations, as well as drug control law enforcement programs within New Hampshire. Such appropriation also may be used to pay extraordinary costs of local, county, and state drug prosecutions and trial expenses. Law enforcement agencies may apply to the department of justice for grants from the amount appropriated. Of the annual appropriation, \$5,000 shall be deposited into a special non-lapsing account established within the office of the state treasurer for the department of health and human services to fund drug education, prevention, and treatment services. The attorney general shall report 60 days after the close of each fiscal year to the governor and council and to the fiscal committee of the general court a summary of the grants provided to law enforcement agencies under this section for the preceding fiscal year.

Amend the bill by replacing section 9 with the following:

9 Effective Date.

I. Section 7 of this act shall take effect July 1, 2016.

II. Sections 1 and 2 of this act shall take effect January 1, 2017.

III. The remainder of this act shall take effect July 1, 2017.

AMENDED ANALYSIS

This bill:

I. Limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime.

II. Requires the state to deposit proceeds from forfeited property in the general fund and repeals the drug forfeiture fund.

III. Directs the attorney general to include in the department of justice's budget request an appropriation for the cost of local, county, and state drug related enforcement actions.

IV. Establishes a special non-lapsing account for the department of health and human services to fund drug education, prevention, and treatment programs.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Peter Spanos for Finance. This bill authorizes additional part-time positions at the Department of Administrative Services (DAS). Since 2006 staffing for DAS has been reduced by nearly 50 positions, and yet work has been added to this department via legislative bill passage. The legislature passed a requirement for work force planning within state agencies because nearly 50 percent of the state's workforce will be eligible to retire within 3 years, but no staffing was included when that bill passed. One of the three positions is a part-time workforce coordinator who will coordinate this planning. Another is a part-time payroll staff member. Recently there have been payroll issues that cost more than adding this part-time staff member to deal with them. The third position will add one part-time position to DAS Risk Management staff, which handles all insurance issues for the growing number of retirees who are eligible for retiree health care. Because the state is self-insured for health care, the Risk Management staff basically runs an insurance company. All state employee and retiree health issues are dealt with in the group. With more than 12,000 retirees and the expected rapid retirement of much of the state staff, this position is needed. Vote 25-0.

Committee report adopted and ordered to third reading.

**HB 1531**, permitting the legislature to open the state house on weekends. **OUGHT TO PASS.**

Rep. Peter Leishman for Finance. This bill would allow the legislature to enter into a memorandum of understanding with a private entity such as the Concord Chamber of Commerce, that would allow the State House to be open on agreed upon Saturdays from Memorial Day to Columbus Day. The memorandum would address issues including security, staffing, hours of operation, janitorial services and areas open for public viewing. In 2001, a legislative study committee charged with studying opening the State House to the public on weekends determined the costs would range from \$366,000 for 52 weekends to \$41,000 for 17 weekends. No fiscal note was provided to the committee due to a number of different variables, including that all expenses incurred would be borne by the private entity(s). No general funds are appropriated. Vote 22-4.

Committee report adopted and ordered to third reading.

**HB 1551-FN-A**, establishing the John and Molly Stark scholarship program and making an appropriation therefor. **REFER FOR INTERIM STUDY.**

Rep. Kenneth Weyler for Finance. This scholarship program is a great concept to help the top 20% of New Hampshire high school graduates attend higher education institutions in the state. However, 80% of the top grads already attend in-state. Moreover, there was no plan to fund the possible \$20 million that this could cost within three years. The sponsor suggested that additional study would be necessary to develop such a plan. The committee agreed. Vote 16-10.

Committee report adopted.

**HB 1553-FN**, transferring the administration of the telecommunications accounting unit. **OUGHT TO PASS.**

Rep. Peter Spanos for Finance. This bill transfers the statewide telecommunications accounting unit from the Department of Safety to the Department of Information Technology (DoIT) at the request of both departments. In addition, it provides one-time funding to ensure that the billing between state agencies can be done electronically, resulting in a cost savings of \$30,000 in the first year and additional cost savings in the following years. As a result, one position was eliminated from this accounting unit. Over the past several years, we have transitioned to a nearly total dependence on digital technologies in communications, making DoIT a more fitting place for these functions to reside. Vote 25-0. Committee report adopted and ordered to third reading.

**SB 238-FN**, relative to the workers' compensation appeals board. **OUGHT TO PASS.**

Rep. David Danielson for Finance. RSA 281-A:42-a established the Compensation Appeals Board membership and compensation. SB 238-FN modifies the size of the membership pool and sets a percentage of board representation from the pool (1/3 employees, 1/3 employers, and 1/3 neutral attorneys). Compensation, unchanged from 1991, is increased for the chair to \$400 per diem, up from \$200, and members will be paid \$250 per diem, up from \$150. Because of the effective size reduction of appeal panels and because this self-funding board will not receive money from the general fund, the committee recommends passage of this bill. Vote 24-1.

Committee report adopted and ordered to third reading.

Rep. Baroodly declared a conflict of interest and did not participate.

**HB 1243-FN-L**, relative to storm water or sewage penalties. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This bill enables municipalities to create a schedule of requirements and penalties (consistent with current law) to ensure proper operation and maintenance of sewage/storm water systems. The bill also provides for municipalities to recover costs associated with enforcement of local requirements. The bill contains language (identical to that of RSA 676:17 for planning/zoning) to allow the civil penalty actions to remain in circuit court and to allow the court to require a performance bond. The majority believes that the schedules would add transparency to the process and allow municipalities to distinguish between individuals and businesses when creating them. Vote 11-5.

Rep. Claire Rouillard for the Minority of Judiciary. This bill sets fines and civil penalties for violations of improper maintenance of sewage and storm water systems. It does not distinguish between individual homeowners' septic systems or commercial septic discharge into public waterways. The penalty established reads "not to exceed \$10,000 per day and each day a violation continues is a separate offense." This could be devastating to a homeowner. Also, this bill awards attorney fees only to the municipality if it prevails in the litigation and not to the homeowner if he or she prevails. This bill provides that a municipality can request the homeowner/defendant post a "bond," for projected expenses, which is generally posted by the plaintiff, not the defendant. Lastly, enhanced civil penalties may be assessed against the homeowner for any additional funds paid by the municipality, over and above all out-of-pocket expenses, costs, fees, etc. The minority of the committee felt this bill, as worded, was inequitable.

**MOTION TO LAY ON THE TABLE**

Rep. Rowe moved that **HB 1243-FN-L**, relative to storm water or sewage penalties, be laid on the table. Motion adopted.

**REGULAR CALENDAR PART I CONT'D****HB 602-FN**, relative to the use of drones. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill regulates the use of drones by government and individuals. It establishes criminal penalties and civil remedies for violation of the law. It is the opinion of the majority of the committee that the penalties are not equitable. Under RSA 644-A:9, II, a government actor who violates its provisions will have \$10,000 fined against the agency that said employee works under. An individual not working under state direction or a private citizen who violates its provisions will pay up to a \$1,000 fine and be guilty of class A

misdeemeanor. The private citizen pays out of pocket and the state actor pays nothing. It is also the majority position that the federal preemption section of RSA 644-A:7 which reads, "If federal law preempts any provision of this chapter, that provision shall not apply," gives a clear example of the extent of the loss of our 4th Amendment rights under the Patriot Act. Federal government agents would be able to preempt anything that this legislation attempts to protect. Vote 8-7.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority of the committee recognizes all the important work that has been done over the past couple of years to shape sound public policy on the use of drones for the purpose of commerce, law enforcement, government and individual use, and supports the passage of an amended version of this bill. The minority has two concerns about the current version of the bill that made it difficult to garner majority support for an Ought to Pass motion. The minority is opposed to the idea of weaponizing drones and opposed to permitting law enforcement to use drones to fire tear gas to quell civil disorder. Currently, Maine and Virginia ban the use of weaponized aircraft (drones) by law enforcement and the minority believes that New Hampshire should have a similar policy. The minority is also concerned that the bill as presented did not contain an exemption for the New Hampshire National Guard to permit the use of drones for training purposes. The minority supports an amendment that removes the problem portions of the bill so that the House can pass a drone bill that builds upon the enormous body of work done by so many lawmakers and stakeholders to have a policy on drones/unmanned aircraft vehicles which meets the needs of the people of the State of New Hampshire.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cushing spoke against.

Rep. Burt spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

## YEAS 151 NAYS 211

### YEAS - 151

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Gallagher, Brian	Howard, Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Fraser, Valerie
Vadney, Herbert	Varney, Peter		

#### CARROLL

Avellani, Lino	Buco, Thomas	Comeau, Ed	McCarthy, Frank
Nelson, Bill			

#### CHESHIRE

Tilton, Benjamin	Bordenet, John	Hunt, John	Mann, John
McConnell, James	Parkhurst, Henry	Robertson, Timothy	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce		

#### COOS

Rideout, Leon

#### GRAFTON

Bailey, Brad	Brown, Duane	Hennessey, Erin	Johnson, Eric
Gionet, Edmond	Hull, Robert	Shackett, Jeffrey	

#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Biggie, Barbara	Boehm, Ralph
Burt, John	Roberts, Carol	Coffey, James	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Gorman, Mary	Gould, Linda	Halstead, Carolyn
Hansberry, Daniel	Hansen, Peter	Hogan, Edith	Infantine, William
Rice, Kimberly	Christiansen, Lars	Lachance, Joseph	Marston, Dick
Martel, Andre	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill

Parison, James  
Sweeney, Shawn  
Seidel, Carl  
Stepanek, Stephen  
O'Brien, William

Pellegrino, Anthony  
Sanborn, Laurie  
Shattuck, Gilman  
Takesian, Charlene  
Williams, Kermit

Proulx, Mark  
Schleien, Eric  
Simmons, Tammy  
Twombly, Timothy  
Zaricki, Nick

Christie, Rick  
Scontsas, Lisa  
Souza, Kathleen  
Sullivan, Victoria

### **MERRIMACK**

Turcotte, Alan  
Long, Douglas  
Hoell, J.R.  
Parent, Jason

Brewster, Michael  
McGuire, Dan  
Kidder, David  
Patten, Dick

McGuire, Carol  
French, Harold  
Marple, Richard  
Seaworth, Brian

Carson, Clyde  
Hill, Gregory  
Martin, John  
Wheeler, Deborah

### **ROCKINGHAM**

Abramson, Max  
Bush, Carol  
Thomas, Douglas  
Ferrante, Beverly  
Hodgdon, Bruce  
Lundgren, David  
Gordon, Pamela  
Schroadter, Adam  
Vose, Michael

Allen, Mary  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Gannon, William  
Itse, Daniel  
McKinney, Betsy  
Peckham, Michele  
Spillane, James

Baldasaro, Alfred  
Chirichiello, Brian  
Duarte, Joe  
Green, Dennis  
Kappler, Lawrence  
McMahon, Charles  
Prudhomme-O'Brien, Katherine  
True, Chris

Bates, David  
Cook, Allen  
Chase, Francis  
Harris, Jeffrey  
Kolodziej, Walter  
Osborne, Jason  
Gordon, Richard  
Tucker, Pamela

### **STRAFFORD**

Berube, Roger  
Horrigan, Timothy  
Leeman, Don  
Wuelper, Kurt

Gardner, Janice  
Jones, Laura  
Mullen, John

Groen, Warren  
Kaczynski, Thomas  
Pitre, Joseph

Hannon, Joseph  
Turcotte, Leonard  
Southworth, Thomas

### **SULLIVAN**

Laware, Thomas

### **NAYS - 211 BELKNAP**

Tilton, Franklin

Flanders, Donald

### **CARROLL**

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

### **CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Weber, Lucy

Ames, Richard  
Emerson, Susan  
Pearson, William

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry

Chase, Cynthia  
Roberts, Kris  
Sad, Tara

### **COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Rappaport, Laurence  
Thomas, Yvonne

### **GRAFTON**

Abel, Richard  
Darrow, Stephen  
Ladd, Rick  
Brown, Rebecca  
White, Andrew

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Smith, Suzanne

Bennett, Travis  
Higgins, Patricia  
Massimilla, Linda  
Sykes, George

Cooney, Mary  
Ingbretson, Paul  
Nordgren, Sharon  
Townsend, Charles

**HILLSBOROUGH**

Griffin, Barbara	Backus, Robert	Balcom, John	Baroody, Benjamin
Barry, Richard	Beaulieu, Jane	Booras, Efstathia	Bouldin, Amanda
Byron, Frank	Christensen, Chris	Cohen, Alan	Cornell, Patricia
Cote, David	Sullivan, Daniel	Danielson, David	DiSilvestro, Linda
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gagne, Larry
Goley, Jeffrey	Guerette, C. Lee	Haefner, Robert	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hopper, Gary
Belanger, James	Jack, Martin	Jeady, Jean	Kurk, Neal
Ober, Lynne	LeBrun, Donald	Leishman, Peter	O'Brien, Michael
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Neil, William
Brown, Pamela	Long, Patrick	McCarthy, Peggy	Palmer, Barry
Peterson, Ken	Pierce, David	Porter, Marjorie	Ober, Russell
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Snow, Kendall	Straight, Phillip	Ulery, Jordan	Vann, Ivy
Wolf, Terry	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Horn, Werner
Frazer, June	Karrick, David	Kenison, Linda	Kotowski, Frank
Kuch, Bill	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtliff, Stephen	Walsh, Thomas	Wallner, Mary Jane

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Azarian, Gary	Barnes, Arthur
Berrien, Skip	Borden, David	Cahill, Michael	Cardon, G. Thomas
Cushing, Robert	DeSimone, Debra	Devine, James	DiFranco, Debbie
Edgar, Michael	Elliott, Robert	Emerick, J. Tracy	Fesh, Robert
Francese, Paula	Friel, William	Ward, Gerald	Guthrie, Joseph
Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Sweeney, Joe	Ward, Joanne	Katsakiores, Phyllis	Lovejoy, Patricia
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McBeath, Rebecca	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Pantelakos, Laura	Potucek, John	Tilton, Rio
Sherman, Thomas	Simpson, Alexis	Sytek, John	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	

**STRAFFORD**

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Graham, Robert	Gray, James
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Schmidt, Peter
Rollo, Deanna	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet		

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Smith, Steven	

and the majority committee report failed.

Rep. Cushing moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (1047h).

**Minority Amendment (1047h)**

Amend RSA 644-A:2 as inserted by section 1 of the bill by deleting RSA 644-A:2, VI and renumbering the original RSA 644-A:2, VII-VIII to read as RSA 644-A:2, VI-VII, respectively.



Amend RSA 644-A:8 and RSA 644-A:9 as inserted by section 1 of the bill by replacing them with the following:

644-A:8 Applicability. The provisions of this chapter shall not apply to the New Hampshire national guard in the conduct of its official duties.

644-A:9 Construction. This chapter shall be construed to provide the greatest possible protection of the privacy of the people of this state. Nothing in this chapter shall be construed to impose liability in connection with newsgathering activity.

644-A:10 Penalties.

I. A government employee or agent who knowingly violates RSA 644-A:2, other than the reporting requirements in 644-A:2, II(c) and 644-A:2, VII, shall be guilty of a misdemeanor. A government employee or agent who violates the reporting requirements in RSA 644-A:2, II(c) or 644-A:2, VII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent offense.

II. A government which violates RSA 644-A:2 may be subject to a civil penalty of up to \$10,000 which shall be deposited in the general fund of the state.

III. A person who suffers damages or injury caused by a government's use of a drone pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment, court costs, and reasonable attorney's fees from the government. No claim for pain and suffering, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, or consortium, or other non-pecuniary losses shall be compensable under this chapter. This paragraph shall not be construed as a waiver of the sovereign immunity of the state.

IV. A person who violates RSA 644-A:3, I-VII shall be guilty of a misdemeanor.

V. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person who committed the violation of not less than \$1,000 and an award of reasonable attorney fees.

VI. In addition to any other remedies allowed by law, a person who willfully gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$1,000 and an award of reasonable attorney fees.

### AMENDED ANALYSIS

This bill regulates the use of drones by government agencies and individuals and establishes criminal penalties and civil remedies for violations of the law.

Rep. Cushing spoke in favor.

Minority committee amendment adopted.

### MOTION TO LAY ON THE TABLE

Rep. Burt moved that **HB 602-FN**, relative to the use of drones, be laid on the table.  
Motion failed.

The question now being adoption of the minority committee report of Ought to Pass with Amendment.  
Rep. Abramson requested a roll call; sufficiently seconded.

### YEAS 251    NAYS 114

#### YEAS - 251

##### BELKNAP

Dumais, Russell  
Gallagher, Brian

Tilton, Franklin  
Russell, David

Fields, Dennis

Flanders, Donald

##### CARROLL

Buco, Thomas  
Crawford, Karel  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Cordelli, Glenn  
Schmidt, Stephen

##### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Phillips, Larry  
Sterling, Franklin

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

**COOS**

Fothergill, John  
Rappaport, Laurence  
Thomas, Yvonne

Froburg, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Ingbretson, Paul  
Nordgren, Sharon  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Ladd, Rick  
Brown, Rebecca  
White, Andrew

Bennett, Travis  
Gionet, Edmond  
Maes, Kevin  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara  
Barry, Richard  
Bouldin, Amanda  
Cohen, Alan  
Danielson, David  
Forest, Armand  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
Jack, Martin  
Ober, Lynne  
Mangipudi, Latha  
Brown, Pamela  
Pellegrino, Anthony  
Ober, Russell  
Rowe, Robert  
Straight, Phillip  
Williams, Kermit

Backus, Robert  
Beaulieu, Jane  
Byron, Frank  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Gould, Linda  
Harvey, Suzanne  
Hopper, Gary  
Judy, Jean  
LeBrun, Donald  
Manley, Jonathan  
Long, Patrick  
Peterson, Ken  
Walsh, Robert  
Sweeney, Shawn  
Takesian, Charlene  
Wolf, Terry

Balcom, John  
Boehm, Ralph  
Christensen, Chris  
Cote, David  
Donovan, Daniel  
Gagne, Larry  
Guerette, C. Lee  
Heath, Mary  
Infantine, William  
Kurk, Neal  
Leishman, Peter  
McNamara, Richard  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Ulery, Jordan  
Woodbury, David

Baroody, Benjamin  
Booras, Efstathia  
Roberts, Carol  
Sullivan, Daniel  
Flanagan, Jack  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Belanger, James  
Christiansen, Lars  
O'Brien, Michael  
O'Neil, William  
Palmer, Barry  
Porter, Marjorie  
Rouillard, Claire  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Rice, Chip  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

French, Barbara  
Carson, Clyde  
Ebel, Karen  
Horn, Werner  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

Bartlett, Christy  
McGuire, Dan  
Gile, Mary  
Frazier, June  
Kuch, Bill  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bradley, Paula  
Deloge, Helen  
Henle, Paul  
Karrick, David  
Luneau, David  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew  
Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Emerick, J. Tracy  
Ward, Gerald  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Manning, John  
Milz, David  
Packard, Sherman  
Sherman, Thomas  
Welch, David

Abrami, Patrick  
Borden, David  
Chirichiello, Brian  
DiFranco, Debbie  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Simpson, Alexis  
Weyler, Kenneth

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
Edgar, Michael  
Francesse, Paula  
Hagan, Joseph  
Sweeney, Joe  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Potucek, John  
Sytek, John  
Woitkun, Steven

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Heffron, Frank  
Ward, Joanne  
Major, Norman  
McKinney, Betsy  
Gordon, Pamela  
Tilton, Rio  
Webb, James

**STRAFFORD**

Baber, William  
Burton, Wayne  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Treleven, Susan

Berube, Roger  
Cheney, Catherine  
Graham, Robert  
Smith, Marjorie  
Spang, Judith  
Wall, Janet

Bickford, David  
Cilley, Jacalyn  
Gray, James  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
DiSesa, Len  
Ward, Kenneth  
Rollo, Deanna  
Stevens, Audrey

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
O'Hearne, Andrew

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

**NAYS - 114**

**BELKNAP**

Aldrich, Glen  
LeBreche, Shari  
Vadney, Herbert

Fisher, Robert  
Spanos, Peter  
Varney, Peter

Howard, Raymond  
Sylvia, Michael

Hurt, George  
Fraser, Valerie

**CARROLL**

Avellani, Lino

Comeau, Ed

McCarthy, Frank

Nelson, Bill

**CHESHIRE**

Tilton, Benjamin

Hunt, John

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Hull, Robert

Brown, Duane  
Shackett, Jeffrey

Hennessey, Erin

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Coffey, James  
Estevez, Eric  
Hogan, Edith  
Martel, Andre  
Murotake, David  
Parison, James  
Schleien, Eric  
Souza, Kathleen  
O'Brien, William

Ammon, Keith  
Eastman, Eric  
Ferreira, Elizabeth  
Rice, Kimberly  
McClarren, Donald  
Murphy, Keith  
Proulx, Mark  
Scotsas, Lisa  
Stepanek, Stephen  
Zaricki, Nick

Biggie, Barbara  
Edelblut, Frank  
Halstead, Carolyn  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Christie, Rick  
Seidel, Carl  
Twombly, Timothy

Burt, John  
Edwards, Elizabeth  
Hansen, Peter  
Marston, Dick  
Moore, Josh  
Ohm, Bill  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Victoria

**MERRIMACK**

Turcotte, Alan  
French, Harold  
Marple, Richard

Brewster, Michael  
Hill, Gregory  
Martin, John

McGuire, Carol  
Hoell, J.R.  
Parent, Jason

Long, Douglas  
Kidder, David  
Seaworth, Brian

**ROCKINGHAM**

Abramson, Max  
Bush, Carol  
Duarte, Joe  
Green, Dennis  
Kappler, Lawrence  
Osborne, Jason  
Schroadter, Adam  
Vose, Michael

Allen, Mary  
Cook, Allen  
Chase, Francis  
Harris, Jeffrey  
Kolodziej, Walter  
Peckham, Michele  
Spillane, James

Baldasaro, Alfred  
Thomas, Douglas  
Ferrante, Beverly  
Hodgdon, Bruce  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
True, Chris

Bates, David  
Dean-Bailey, Yvonne  
Gannon, William  
Itse, Daniel  
McMahon, Charles  
Gordon, Richard  
Tucker, Pamela

**STRAFFORD**

DeLemus, Susan  
Jones, Laura  
Mullen, John

Groen, Warren  
Kaczynski, Thomas  
Pitre, Joseph

Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

Horrigan, Timothy  
Leeman, Don

and the minority committee report was adopted and ordered to third reading.

**HB 1681-FN**, relative to hypodermic syringes and needles containing residual amounts of controlled drugs. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass:** The research shows conclusive evidence that increased syringe access and exchange programs can significantly decrease the harms to public safety and decrease the incidence of dangerous infectious disease, such as hepatitis C, HIV and other blood-borne diseases. One of the biggest barriers to safe disposal of dirty needles is the criminal penalty for having residual/non-usable amounts in a needle or syringe. This has been shown to not increase intravenous drug use, nor has it been shown to increase used syringes found in public. This potentially cost and life saving legislation will enable a stronger relationship between health care workers and law enforcement.

Rep. John Burt

**Statement in support of Inexpedient to Legislate:** The bill opens with the premise that by eliminating the penalty for possession of needles and syringes with an unusable quantity of a drug, it will automatically result in used needles that are discarded in parks, playgrounds, streets, and other numerous places to magically disappear and be disposed of in a safe and proper manner. Unfortunately, that is just not the case. Addicts will continue to discard used needles and reuse dirty needles even without penalty. The definition of “unusable quantity” is listed nowhere in law and it is open to interpretation - is it a drop, or half a needle-full, or a partial syringe? Additionally, removing the penalty and preventing law enforcement from using residual amounts contained in syringes as probable cause to obtain a search warrant may result in offenders evading the law and would otherwise result in sizeable quantities of illicit drugs being discovered and dealers evading arrest. Much of the discussion centered on a needle take-back program that would reduce the incidence of the spread of hepatitis C, AIDS, and other bloodborne diseases. That is a laudable desire. Unfortunately, the bill does none of that, instead it just removes the penalty. Thus, is addressing only half of the problem, not making it better, but only hoping that things will get better? We would be far better off in working to create a needle exchange program with the attendant penalty reduction or elimination instead of passing a flawed bill and suffering the consequences.

Rep. John Tholl

Rep. Burt moved Ought to Pass.

Rep. Tholl spoke against.

Rep. Hannon spoke in favor and yielded to questions.

On a division vote, with 272 members having voted in the affirmative, and 86 in the negative, the motion of Ought to Pass was adopted and ordered to third reading.

**REGULAR CALENDAR - PART II**

**HB 1120**, relative to teacher qualifications at charter schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ralph Boehm for the Majority of Education. This bill mandates that all teachers at a charter school must have a valid NH teaching credential or be “certified.” Charter schools have different requirements and only 50% must be certified. This bill would remove the ability of school administrators to consider qualified non-traditional candidates who may bring a valuable and diverse perspective to the teaching profession. Also, it is often difficult to find certified STEM field teachers while a large pool of industry STEM experts without certification are available who could potentially do a better job than a candidate with an arbitrary certificate. Charter schools are also innovators in teaching, obtaining teachers from industry, retired teachers, etc. Having all teachers “certified” does nothing for accountability. Charter schools have the best accountability; parents may remove their child if the school is not meeting their needs, unlike traditional public school. This bill is not needed. Vote 13-4.

Rep. Deanna Rollo for the Minority of Education. Currently we have two different standards regarding our public school teachers. All of our teachers in our traditional public schools have to be certified, however in our public charter schools only 50% of the teaching staff has to be

certified, the remaining only need 3 years of teaching experience. This bill would require that all our public school teachers be held to the same standard of certification. Currently parents without any teaching credentials teach in some of our private schools, according to our current law they would be eligible to teach in our public charter schools after 3 years. We believe this is not in the best interest of our public charter schoolchildren.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Rollo requested a roll call; sufficiently seconded.

## YEAS 267 NAYS 96

### YEAS - 267

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Fisher, Robert	Flanders, Donald	Gallagher, Brian	Howard, Raymond
Hurt, George	LeBreche, Shari	Russell, David	Spanos, Peter
Sylvia, Michael	Fraser, Valerie	Vadney, Herbert	Varney, Peter

#### CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

#### CHESHIRE

Ames, Richard	Tilton, Benjamin	Bordenet, John	Emerson, Susan
Hunt, John	Roberts, Kris	Mann, John	McConnell, James
Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie	Sterling, Franklin

#### COOS

Fothergill, John	Froburg, Alethea	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Tholl, John		

#### GRAFTON

Almy, Susan	Bailey, Brad	Brown, Duane	Darrow, Stephen
Hennessey, Erin	Johnson, Eric	Gionet, Edmond	Higgins, Patricia
Hull, Robert	Ingbretson, Paul	Ladd, Rick	Massimilla, Linda
Brown, Rebecca	Shackett, Jeffrey	Smith, Suzanne	

#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert
Balcom, John	Barry, Richard	Beaulieu, Jane	Biggie, Barbara
Boehm, Ralph	Bouldin, Amanda	Burt, John	Byron, Frank
Christensen, Chris	Coffey, James	Cohen, Alan	Danielson, David
Donovan, Daniel	Eastman, Eric	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Freitas, Mary	Gagne, Larry
Gargas, Carolyn	Gould, Linda	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Heath, Mary	Herbert, Christopher
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Belanger, James	Jack, Martin	Judy, Jean	Rice, Kimberly
Kurk, Neal	Christiansen, Lars	Ober, Lynne	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Marston, Dick	Martel, Andre
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	McCarthy, Peggy
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Christie, Rick	Ober, Russell
Rouillard, Claire	Rowe, Robert	Sweeney, Shawn	Schleien, Eric
Scotsas, Lisa	Seidel, Carl	Simmons, Tammy	Snow, Kendall

Souza, Kathleen  
Ulery, Jordan  
Williams, Kermit

Stepanek, Stephen  
Sullivan, Victoria  
Wolf, Terry

Straight, Phillip  
Vann, Ivy  
Woodbury, David

Twombly, Timothy  
O'Brien, William  
Zaricki, Nick

### MERRIMACK

Alicea, Caroletta  
Rice, Chip  
French, Harold  
Hoell, J.R.  
Kidder, David  
Marple, Richard  
Saunderson, George

Bartlett, Christy  
Long, Douglas  
Henle, Paul  
Horn, Werner  
Kotowski, Frank  
Martin, John  
Seaworth, Brian

Brewster, Michael  
McGuire, Dan  
Hess, David  
Karrick, David  
Kuch, Bill  
Moffett, Howard  
Walsh, Thomas

McGuire, Carol  
Ebel, Karen  
Hill, Gregory  
Kenison, Linda  
MacKay, James  
Parent, Jason  
Wheeler, Deborah

### ROCKINGHAM

Christie, Andrew  
Azarian, Gary  
Bush, Carol  
Thomas, Douglas  
DiFranco, Debbie  
Emerick, J. Tracy  
Fesh, Robert  
Hagan, Joseph  
Hoelzel, Kathleen  
Ward, Joanne  
Lovejoy, Patricia  
Manning, John  
Milz, David  
Packard, Sherman  
Gordon, Richard  
Simpson, Alexis  
Tucker, Pamela  
Weyler, Kenneth

Abrami, Patrick  
Baldasaro, Alfred  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Chase, Francis  
Gannon, William  
Harris, Jeffrey  
Introne, Robert  
Kappler, Lawrence  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Tilton, Rio  
Spillane, James  
Vose, Michael  
Woitkun, Steven

Abramson, Max  
Barnes, Arthur  
Chirichiello, Brian  
DeSimone, Debra  
Edgar, Michael  
Rice, Frederick  
Green, Dennis  
Heffron, Frank  
Itse, Daniel  
Katsakiores, Phyllis  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Schroadter, Adam  
Sytek, John  
Webb, James

Allen, Mary  
Bates, David  
Cook, Allen  
Devine, James  
Elliott, Robert  
Ferrante, Beverly  
Guthrie, Joseph  
Hodgdon, Bruce  
Sweeney, Joe  
Kolodziej, Walter  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sherman, Thomas  
True, Chris  
Welch, David

### STRAFFORD

Bickford, David  
Gray, James  
Kaczynski, Thomas  
Mullen, John

Cheney, Catherine  
Groen, Warren  
Turcotte, Leonard  
Pitre, Joseph

DeLemus, Susan  
Hannon, Joseph  
Leeman, Don  
Spang, Judith

Graham, Robert  
Jones, Laura  
Smith, Marjorie  
Wuelper, Kurt

### SULLIVAN

Schmidt, Andrew  
Laware, Thomas

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Rollins, Skip

Irwin, Virginia  
Smith, Steven

### NAYS - 96 CARROLL

Buco, Thomas

Butler, Edward

Abbott, Michael  
Johnsen, Gladys  
Sad, Tara

Berch, Paul  
Ley, Douglas  
Tatro, Bruce

Chase, Cynthia  
Parkhurst, Henry  
Weber, Lucy

Eaton, Daniel  
Pearson, William

### COOS

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

### GRAFTON

Abel, Richard  
Nordgren, Sharon

Cooney, Mary  
Sykes, George

Ford, Susan  
Townsend, Charles

Maes, Kevin  
White, Andrew

**HILLSBOROUGH**

Baroody, Benjamin	Booras, Efstathia	Roberts, Carol	Cornell, Patricia
Cote, David	Sullivan, Daniel	DiSilvestro, Linda	Forest, Armand
Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel	Harvey, Suzanne
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Neil, William	Brown, Pamela	Long, Patrick	Porter, Marjorie
Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman	Takesian, Charlene

**MERRIMACK**

Turcotte, Alan	French, Barbara	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Gile, Mary	Frazer, June
Luneau, David	Mylar, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Francese, Paula	Friel, William	Ward, Gerald
McBeath, Rebecca	Gordon, Pamela	Pantelakos, Laura	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Wall, Janet			

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	O'Hearne, Andrew
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and the majority committee report was adopted.

**HB 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the Majority of Education. This bill adds the following language to current law, "The statewide assessment results of a student, or the student's school district shall not be included as part of the student's transcript unless the student, if 18 years of age or older, or the student's parent or legal guardian if the student is under 18 years of age, consents." The statewide assessment is an assessment of the schools and not the students. If the student is in a school that has a low assessment, that should not be on the student record. The student has no control of that assessment. Vote 10-8.

Rep. Mary Heath for the Minority of Education. The minority finds that this bill amends RSA 193-C: 6 to prohibit the use of statewide assessment results of a student or the student's school district as part of the student's transcript. Currently state law remains silent on this issue and leaves the decision to local school boards. The minority feels that this decision should be made locally with the local school board, educators, parents and the community. At this time it is not the practice of local school districts to include such results on student transcripts unless requested by the student or family. This bill is unnecessary and would dictate and possibly impede local reporting practices.

The question being adoption of the majority committee report of Ought to Pass.

On a division vote, with 227 members having voted in the affirmative, and 138 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 1231**, relative to school district policy regarding objectionable course material. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for the Majority of Education. This bill amends existing law which allows parents to opt out of certain course material as long as parents provide an alternative educational activity at their own expense. This bill simply rectifies the weakness in existing law whereas there was not a provision for parental notification included. The majority feels that parental involvement in these matters is vital to the education of children. Vote 13-6.

Rep. James Verschuere for the Minority of Education. The bill requires the school district or classroom teacher to set a notification policy that alerts parents not less than one week in advance whenever curriculum course material is used for instruction of drug and alcohol education, human sexuality, or human sexual education. Current law already provides for a parent to withdraw a student from class if the parent finds specific course material objectionable. The minority of the committee supports parental notification as a principle and believes that local school boards know best what the details of that policy should be and what level of content should be included. This bill is legislative over-reach. By putting this requirement into statute every piece of curriculum that may touch upon one of these subjects will require notification. This places an unreasonable burden on teachers and school districts to scour all content in all classes and all subjects in order to comply with statutory notification requirements.

### Majority Amendment (0159h)

Amend RSA 186:11, IX-c as inserted by section 1 of the bill by replacing it with the following:

IX-c. Require school districts to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. *The policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than one week advance notice of curriculum course material used for instruction of drug and alcohol education, human sexuality, or human sexual education. The policy shall address the method of delivering notification to a parent or legal guardian. To the extent practicable, a school district shall make curriculum course materials available to parents or legal guardians for review upon request.* The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

### AMENDED ANALYSIS

This bill requires school districts to provide advance notice to parents and legal guardians of course material involving discussion of drug and alcohol education, human sexuality, or human sexual education.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 219 members having voted in the affirmative, and 146 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 1274**, establishing a committee to study the efficacy of changes in the community college system of New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Terry Wolf for the Majority of Education. This bill establishes a study committee to review changes in the community college system. The college system has undergone many changes over the last few years, adapting to the changing needs of employers, declining enrollments and less state funding. Much of the testimony was in relation to the shift to more adjunct faculty and changing programs. The majority of the committee believes a review of changes should be done by the public higher education study committee, which is already established. Vote 12-9.

Rep. Mel Myler for the Minority of Education. There is recognition of the high quality of programs offered by the Community College System NH (CCSNH). The CCSNH is facing challenges of student enrollment and sources of revenue. The legislature created the CCSNH eight years ago and there has been no review of the CCSNH since its inception. The minority of the committee felt strongly that a study committee would be appropriate to review past and future needs of the system. There was ample testimony that question the current decision making process in light of limited resources and priority setting of the management of CCSNH.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Wolf and Ladd spoke in favor.

Rep. Myler spoke against.

Rep. Gile spoke against, yielded to questions and requested a roll call; sufficiently seconded.



**YEAS 204 NAYS 152****YEAS - 204****BELKNAP**

Aldrich, Glen  
Fisher, Robert  
Hurt, George  
Sylvia, Michael

Dumais, Russell  
Flanders, Donald  
LeBreche, Shari  
Fraser, Valerie

Tilton, Franklin  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Fields, Dennis  
Howard, Raymond  
Spanos, Peter  
Varney, Peter

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Bordenet, John

Emerson, Susan

Hunt, John

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Ladd, Rick

Brown, Duane  
Gionet, Edmond  
Shackett, Jeffrey

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Eastman, Eric  
Gagne, Larry  
Hansen, Peter  
Belanger, James  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Proulx, Mark  
Rowe, Robert  
Scotsas, Lisa  
Straight, Phillip  
Sullivan, Victoria

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Estevez, Eric  
Gould, Linda  
Hinch, Richard  
Rice, Kimberly  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Pellegrino, Anthony  
Christie, Rick  
Sweeney, Shawn  
Seidel, Carl  
Takesian, Charlene  
O'Brien, William

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Ferreira, Elizabeth  
Haefner, Robert  
Hogan, Edith  
Kurk, Neal  
Marston, Dick  
Murotake, David  
McCarthy, Peggy  
Peterson, Ken  
Ober, Russell  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, Timothy  
Wolf, Terry

Balcom, John  
Burt, John  
Danielson, David  
Flanagan, Jack  
Halstead, Carolyn  
Infantine, William  
Ober, Lynne  
McClarren, Donald  
Murphy, Keith  
Palmer, Barry  
Pierce, David  
Rouillard, Claire  
Schleien, Eric  
Stepanek, Stephen  
Ulery, Jordan  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
French, Harold  
Horn, Werner  
Martin, John

McGuire, Carol  
Hess, David  
Kotowski, Frank  
Parent, Jason

Long, Douglas  
Hill, Gregory  
Kuch, Bill  
Seaworth, Brian

McGuire, Dan  
Hoell, J.R.  
Marple, Richard  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Elliott, Robert  
Ferrante, Beverly

Abrami, Patrick  
Barnes, Arthur  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Fesh, Robert

Allen, Mary  
Bates, David  
Cook, Allen  
Devine, James  
Chase, Francis  
Francese, Paula

Azarian, Gary  
Bush, Carol  
Thomas, Douglas  
Duarte, Joe  
Rice, Frederick  
Friel, William

Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Kolodziej, Walter  
Manning, John  
Milz, David  
Packard, Sherman  
Tilton, Rio  
True, Chris  
Welch, David

Green, Dennis  
Hodgdon, Bruce  
Ward, Joanne  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela  
Weyler, Kenneth

Guthrie, Joseph  
Hoelzel, Kathleen  
Kappler, Lawrence  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Spillane, James  
Vose, Michael

Hagan, Joseph  
Introne, Robert  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Gordon, Richard  
Sytek, John  
Webb, James

### STRAFFORD

Bickford, David  
Gray, James  
Turcotte, Leonard  
Wuelper, Kurt

Cheney, Catherine  
Groen, Warren  
Leeman, Don

DeLemus, Susan  
Horrigan, Timothy  
Mullen, John

Graham, Robert  
Kaczynski, Thomas  
Pitre, Joseph

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 152 CARROLL

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Tilton, Benjamin  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara

Berch, Paul  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

### COOS

Froburg, Alethea

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

### GRAFTON

Abel, Richard  
Ford, Susan  
Nordgren, Sharon  
Townsend, Charles

Almy, Susan  
Higgins, Patricia  
Brown, Rebecca  
White, Andrew

Bennett, Travis  
Maes, Kevin  
Smith, Suzanne

Cooney, Mary  
Massimilla, Linda  
Sykes, George

### HILLSBOROUGH

Backus, Robert  
Roberts, Carol  
Sullivan, Daniel  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Christiansen, Lars  
Manley, Jonathan  
Long, Patrick  
Shattuck, Gilman  
Williams, Kermit

Baroody, Benjamin  
Cohen, Alan  
DiSilvestro, Linda  
Gargas, Carolyn  
Hansberry, Daniel  
Hopper, Gary  
Leishman, Peter  
McNamara, Richard  
Porter, Marjorie  
Snow, Kendall  
Woodbury, David

Beaulieu, Jane  
Cornell, Patricia  
Donovan, Daniel  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
O'Neil, William  
Walsh, Robert  
Souza, Kathleen

Booras, Efstathia  
Cote, David  
Forest, Armand  
Gorman, Mary  
Heath, Mary  
Jeudy, Jean  
Mangipudi, Latha  
Brown, Pamela  
Rosenwald, Cindy  
Vann, Ivy

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Doherty, David

Alicea, Caroletta  
Rice, Chip  
Ebel, Karen

French, Barbara  
Carson, Clyde  
Gile, Mary

Bartlett, Christy  
Deloge, Helen  
Henle, Paul

Frazer, June  
Luneau, David  
Patten, Dick  
Schuett, Dianne

Karrick, David  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

Kidder, David  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

### ROCKINGHAM

Abramson, Max  
Cali-Pitts, Jacqueline  
Ward, Gerald  
Pantelakos, Laura

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Prudhomme-O'Brien, Katherine

Borden, David  
DiFranco, Debbie  
McBeath, Rebecca  
Sherman, Thomas

Cahill, Michael  
Edgar, Michael  
Gordon, Pamela  
Simpson, Alexis

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Jones, Laura  
Schmidt, Peter  
Sprague, Dale

Berube, Roger  
DiSesa, Len  
Ward, Kenneth  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Burton, Wayne  
Hannon, Joseph  
Smith, Marjorie  
Spang, Judith  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

and the majority committee report was adopted.

The House recessed at 12:20 p.m.

### RECESS

The House reconvened at 1:30 p.m.

(Speaker Jasper in the Chair)

### REGULAR CALENDAR PART II CONT'D

**HB 1300**, relative to the content of patriotic exercises in public schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Balcom for the Majority of Education. This bill as amended requires the inclusion of a discussion of the "words, meaning, and history of the Pledge of Allegiance and Star Spangled Banner." The majority of the committee felt that these two foundations of our country's fabric are important enough that they be specified to be taught in our public schools. Vote 10-8.

Rep. Mary Heath for the Minority of Education. The minority finds that the Pledge of Allegiance and the Star Spangled Banner should be inherent aspects of NH schools all year long and particularly on Memorial Day and Veterans Day. However, the minority feels that local curriculum remain the purview of the local school district and school board and the General Court should not dictate what and when it should be taught. The bill calls for "a discussion of the words and meaning of the Pledge of Allegiance and the Star Spangled Banner" it is unclear if that means every year in every grade and what does a discussion mean? If the bill called for a policy developed by the local school board it would allow for the design of the actions called for but in its current rendition, this bill is far too ambivalent.

### Majority Amendment (0539h)

Amend RSA 189:18 as inserted by section 1 of the bill by replacing it with the following:

189:18 Patriotic Exercises. In all public schools of the state one session, or a portion thereof, during the weeks in which Memorial Day and Veterans Day fall, shall be devoted to exercises of a patriotic nature, *which shall include a discussion of the words, meaning, and history of the Pledge of Allegiance and the Star Spangled Banner.*

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Jones requested a roll call; sufficiently seconded.

**YEAS 168 NAYS 130****YEAS - 168****BELKNAP**

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Howard, Raymond  
Vadney, Herbert

Fields, Dennis  
LeBreche, Shari

Flanders, Donald  
Russell, David

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Umberger, Karen

Crawford, Karel

**CHESHIRE**

Abbott, Michael  
Roberts, Kris

Tilton, Benjamin  
McConnell, James

Emerson, Susan  
Parkhurst, Henry

Johnsen, Gladys  
Sterling, Franklin

**COOS**

Fothergill, John

Moynihan, Wayne

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Ingbreton, Paul

Hennessey, Erin  
Ladd, Rick

Johnson, Eric  
Townsend, Charles

**HILLSBOROUGH**

Adams, Christopher  
Christensen, Chris  
Eastman, Eric  
Gagne, Larry  
Hansen, Peter  
Katsiantonis, Thomas  
LeBrun, Donald  
Moore, Josh  
McCarthy, Peggy  
Christie, Rick  
Snow, Kendall  
Sullivan, Victoria

Balcom, John  
Cote, David  
Edelblut, Frank  
Gargas, Carolyn  
Hinch, Richard  
Christiansen, Lars  
Marston, Dick  
Murotake, David  
Pellegrino, Anthony  
Rouillard, Claire  
Straight, Phillip

Baroody, Benjamin  
Danielson, David  
Estevez, Eric  
Gould, Linda  
Hogan, Edith  
Ober, Lynne  
McClarren, Donald  
Notter, Jeanine  
Peterson, Ken  
Rowe, Robert  
Twombly, Timothy

Boehm, Ralph  
Donovan, Daniel  
Flanagan, Jack  
Haefner, Robert  
Judy, Jean  
Lachance, Joseph  
McLean, Mark  
Ohm, Bill  
Proulx, Mark  
Seidel, Carl  
Ulery, Jordan

**MERRIMACK**

Turcotte, Alan  
Ebel, Karen  
Kotowski, Frank  
Patten, Dick

Bradley, Paula  
French, Harold  
Kuch, Bill  
Ratzki, Mario

McGuire, Carol  
Hill, Gregory  
Marple, Richard  
Seaworth, Brian

Long, Douglas  
Horn, Werner  
Martin, John  
Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cardon, G. Thomas  
Duarte, Joe  
Chase, Francis  
Friel, William  
Hagan, Joseph  
Introne, Robert  
Major, Norman  
Milz, David  
Potucek, John  
Spillane, James  
Welch, David

Abrami, Patrick  
Bates, David  
Chirichiello, Brian  
Edgar, Michael  
Rice, Frederick  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Matthews, Carolyn  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
True, Chris  
Weyler, Kenneth

Allen, Mary  
Bush, Carol  
Thomas, Douglas  
Elliott, Robert  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Gordon, Richard  
Vose, Michael  
Woitkun, Steven

Azarian, Gary  
Cahill, Michael  
Devine, James  
Emerick, J. Tracy  
Fesh, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Griffin, Mary  
McMahon, Charles  
Peckham, Michele  
Schroadter, Adam  
Webb, James

**STRAFFORD**

Cheney, Catherine  
Groen, Warren  
Mullen, John

DeLemus, Susan  
Kaczynski, Thomas  
Pitre, Joseph

Graham, Robert  
Turcotte, Leonard  
Wall, Janet

Gray, James  
Leeman, Don  
Wuelper, Kurt

**SULLIVAN**

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Rollins, Skip

Grenier, James

**NAYS - 130****BELKNAP**

Aldrich, Glen  
Fraser, Valerie

Fisher, Robert  
Varney, Peter

Hurt, George

Sylvia, Michael

**CARROLL**

Buco, Thomas

Butler, Edward

Schmidt, Stephen

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Ley, Douglas  
Sad, Tara

Bordenet, John  
Mann, John  
Shepardson, Marjorie

Chase, Cynthia  
Phillips, Larry  
Tatro, Bruce

**GRAFTON**

Abel, Richard  
Ford, Susan  
Brown, Rebecca

Almy, Susan  
Higgins, Patricia  
Smith, Suzanne

Bennett, Travis  
Hull, Robert  
Sykes, George

Cooney, Mary  
Maes, Kevin  
White, Andrew

**HILLSBOROUGH**

Griffin, Barbara  
Burt, John  
Edwards, Elizabeth  
Goley, Jeffrey  
Hansberry, Daniel  
Belanger, James  
Manley, Jonathan  
Palmer, Barry  
Rosenwald, Cindy  
Simmons, Tammy  
Woodbury, David

Backus, Robert  
Roberts, Carol  
Ferreira, Elizabeth  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
McNamara, Richard  
Pierce, David  
Schleien, Eric  
Vann, Ivy  
Zaricki, Nick

Beaulieu, Jane  
Cohen, Alan  
Forest, Armand  
Guerette, C. Lee  
Heath, Mary  
Rice, Kimberly  
Murphy, Keith  
Porter, Marjorie  
Scontsas, Lisa  
Williams, Kermit

Booras, Efsthathia  
Cornell, Patricia  
Freitas, Mary  
Halstead, Carolyn  
Herbert, Christopher  
Mangipudi, Latha  
Brown, Pamela  
Ober, Russell  
Shattuck, Gilman  
Wolf, Terry

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Gile, Mary  
Karrick, David  
MacKay, James  
Shurtleff, Stephen

French, Barbara  
McGuire, Dan  
Henle, Paul  
Kenison, Linda  
Myler, Mel

Bartlett, Christy  
Deloge, Helen  
Hoell, J.R.  
Kidder, David  
Rogers, Katherine

Brewster, Michael  
Doherty, David  
Frazer, June  
Luneau, David  
Saunderson, George

**ROCKINGHAM**

Berrien, Skip  
Francese, Paula  
McBeath, Rebecca

Cushing, Robert  
Ward, Gerald  
Gordon, Pamela

Dean-Bailey, Yvonne  
Heffron, Frank  
Pantelakos, Laura

DiFranco, Debbie  
Lovejoy, Patricia  
Simpson, Alexis

**STRAFFORD**

Baber, William  
Burton, Wayne  
Hannon, Joseph  
Kaen, Naida  
Treleaven, Susan

Berube, Roger  
Cilley, Jacalyn  
Horrigan, Timothy  
Rollo, Deanna

Bickford, David  
DiSesa, Len  
Jones, Laura  
Southworth, Thomas

Bixby, Peter  
Gardner, Janice  
Ward, Kenneth  
Stevens, Audrey

**SULLIVAN**

Cloutier, John

Irwin, Virginia

Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

**HB 1338**, relative to student exemption from the statewide assessment. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the Majority of Education. This bill gives parents the right to remove their child from taking the state annual assessment. Thus reinforcing parental rights as to their control of what their children have access to. Other states and even some school districts in this state are allowing parents to exempt their child from testing without any loss in Federal funds. The number of students not taking the test should not statistically jeopardize any comparison with other schools. Vote 10-9.

Rep. Mary Gile for the Minority of Education. The minority believes that this bill which amends the Statewide Education Improvement and Assessment Program section on requiring assessments (RSA 193-C:6) would create a student opt-out option from the statewide assessment process. This bill would conflict with current state educational accountability laws, undercut one of the tools that educators use to evaluate K-12 student progress, and jeopardize millions of dollars in federal funding for New Hampshire schools. Participation in the state assessment is also a criterion for the court decision that assures an adequate education. Furthermore, in December 2015, Congress reauthorized the ESEA of 1965 as The Every Student Succeeds Act (ESSA) for which neither rules nor guidance have been written. This bipartisan measure reauthorizes the 50-year-old Elementary and Secondary Education Act (ESEA), the nation's national education law and longstanding commitment to equal opportunity for all students. The new law builds on key areas of progress in recent years, made possible by the efforts of educators, communities, parents, and students across the country. It is premature to establish this bill and possibly jeopardize millions of federal dollars for our local school districts. By state law, and as a result of Supreme Court decisions requiring a statewide education accountability system, New Hampshire schools are required to participate in the statewide educational improvement and assessment program. If passed, this bill would discourage participation in the annual statewide assessment, violating the requirements of both federal and state law, as well as the requirements of the New Hampshire Supreme Court that New Hampshire have a broad assessment and accountability system. Allowing this bill to become law also poses significant fiscal risk by threatening tens of millions of dollars a year in federal funding to our schools. The federal government requires 95 percent of students to participate in a statewide assessment to receive Title I funding. This bill sends a bad message to our students. Students who are told that they can opt out of this critical component to their education will believe that they can opt out of other of requirements as well, which could in turn affect participation in day-to-day activities and interfere with both student assessment and direct instruction.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Heath spoke against.

Rep. Victoria Sullivan spoke in favor and yielded to questions.

Rep. Gile requested a roll call; sufficiently seconded.

**YEAS 204 NAYS 151**

**YEAS - 204****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
LeBreche, Shari  
Fraser, Valerie

Dumais, Russell  
Gallagher, Brian  
Russell, David  
Vadney, Herbert

Tilton, Franklin  
Howard, Raymond  
Spanos, Peter  
Varney, Peter

Fields, Dennis  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Tilton, Benjamin  
Sterling, Franklin

Emerson, Susan

Hunt, John

McConnell, James

**COOS**

Fothergill, John  
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Ladd, Rick

Brown, Duane  
Gionet, Edmond  
Shackett, Jeffrey

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Ferreira, Elizabeth  
Gould, Linda  
Hansen, Peter  
Belanger, James  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Parison, James  
Christie, Rick  
Sanborn, Laurie  
Simmons, Tammy  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Flanagan, Jack  
Guerette, C. Lee  
Hinch, Richard  
Rice, Kimberly  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Pellegrino, Anthony  
Ober, Russell  
Schleien, Eric  
Souza, Kathleen  
Sullivan, Victoria

Griffin, Barbara  
Burt, John  
Danielson, David  
Edwards, Elizabeth  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
Katsiantonis, Thomas  
Marston, Dick  
Murotake, David  
McCarthy, Peggy  
Peterson, Ken  
Rouillard, Claire  
Scoutsas, Lisa  
Straight, Phillip  
Wolf, Terry

Balcom, John  
Byron, Frank  
Donovan, Daniel  
Estevez, Eric  
Gargas, Carolyn  
Halstead, Carolyn  
Hopper, Gary  
Ober, Lynne  
McClarren, Donald  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Seidel, Carl  
Twombly, Timothy  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
French, Harold  
Horn, Werner  
Martin, John

McGuire, Carol  
Hess, David  
Kotowski, Frank  
Seaworth, Brian

Long, Douglas  
Hill, Gregory  
Kuch, Bill  
Walsh, Thomas

McGuire, Dan  
Hoell, J.R.  
Marple, Richard

**ROCKINGHAM**

Christie, Andrew  
Azarian, Gary  
Bush, Carol  
Dean-Bailey, Yvonne  
Elliott, Robert  
Ferrante, Beverly  
Green, Dennis  
Hodgdon, Bruce  
Sweeney, Joe  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Tilton, Rio  
True, Chris  
Welch, David

Abrami, Patrick  
Baldasar, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Fesh, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Ward, Joanne  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Schroadt, Adam  
Tucker, Pamela  
Weyler, Kenneth

Abramson, Max  
Barnes, Arthur  
Cook, Allen  
Devine, James  
Chase, Francis  
Friel, William  
Hagan, Joseph  
Introne, Robert  
Kappler, Lawrence  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Vose, Michael  
Woitkun, Steven

Allen, Mary  
Bates, David  
Thomas, Douglas  
Duarte, Joe  
Rice, Frederick  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Kolodziej, Walter  
Manning, John  
Milz, David  
Packard, Sherman  
Gordon, Richard  
Sytek, John  
Webb, James

**STRAFFORD**

Cheney, Catherine  
Groen, Warren  
Turcotte, Leonard  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Leeman, Don

Graham, Robert  
Jones, Laura  
Mullen, John

Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 151  
BELKNAP**

Fisher, Robert

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tatro, BruceAmes, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, LucyBerch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, TaraBordenet, John  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie**COOS**

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

**GRAFTON**Abel, Richard  
Ford, Susan  
Nordgren, Sharon  
Townsend, CharlesAlmy, Susan  
Higgins, Patricia  
Brown, Rebecca  
White, AndrewBennett, Travis  
Maes, Kevin  
Smith, SuzanneCooney, Mary  
Massimilla, Linda  
Sykes, George**HILLSBOROUGH**Backus, Robert  
Roberts, Carol  
Sullivan, Daniel  
Goley, Jeffrey  
Heath, Mary  
Christiansen, Lars  
Manley, Jonathan  
Long, Patrick  
Rosenwald, Cindy  
Vann, IvyBaroody, Benjamin  
Cohen, Alan  
DiSilvestro, Linda  
Gorman, Mary  
Herbert, Christopher  
Leishman, Peter  
McNamara, Richard  
Pierce, David  
Shattuck, Gilman  
Williams, KermitBeaulieu, Jane  
Cornell, Patricia  
Forest, Armand  
Hansberry, Daniel  
Jack, Martin  
O'Brien, Michael  
O'Neil, William  
Porter, Marjorie  
Snow, Kendall  
Woodbury, DavidBooras, Efstathia  
Cote, David  
Freitas, Mary  
Harvey, Suzanne  
Judy, Jean  
Mangipudi, Latha  
Brown, Pamela  
Walsh, Robert  
Takesian, Charlene**MERRIMACK**Turcotte, Alan  
Bradley, Paula  
Doherty, David  
Frazer, June  
Luneau, David  
Patten, Dick  
Schuett, DianneAlicea, Caroletta  
Rice, Chip  
Ebel, Karen  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Shurtleff, StephenFrench, Barbara  
Carson, Clyde  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary JaneBartlett, Christy  
Deloge, Helen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah**ROCKINGHAM**Berrien, Skip  
Cardon, G. Thomas  
Francese, Paula  
McBeath, Rebecca  
Simpson, AlexisBorden, David  
Cushing, Robert  
Ward, Gerald  
Gordon, PamelaCahill, Michael  
DiFranco, Debbie  
Heffron, Frank  
Pantelakos, LauraCali-Pitts, Jacqueline  
Edgar, Michael  
Lovejoy, Patricia  
Sherman, Thomas**STRAFFORD**Baber, William  
Burton, WayneBerube, Roger  
Cilley, JacalynBickford, David  
DiSesa, LenBixby, Peter  
Gardner, Janice



Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale

Ward, Kenneth  
Rollo, Deanna  
Stevens, Audrey

Kaen, Naida  
Southworth, Thomas  
Treleven, Susan

Smith, Marjorie  
Spang, Judith  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

### **HB 1365**, requiring public schools to observe New Hampshire constitution day. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Education. This bill directs teachers to offer or provide a copy of the state constitution to students; however, this bill is duplicative of RSA 189:23 that currently directs the state board of education to distribute copies of the state constitution and election laws to all teachers for instruction in the upper elementary, junior and high school grades. Further, RSA 189:11 requires all public and private schools in the state to provide regular courses of instruction in the constitutions of the United States and New Hampshire. Lastly, this bill states that copies of the constitution shall be provided to students, but it does not define the grade levels. Early elementary students, K-3, have not yet acquired reading skills necessary to read the constitution. Vote 17-2.

Rep. Prudhomme-O'Brien spoke against.

Rep. Cook spoke in favor.

Rep. DeLemus requested a roll call; sufficiently seconded.

**YEAS 276 NAYS 83**

### YEAS - 276

#### BELKNAP

Dumais, Russell  
Flanders, Donald  
Sylvia, Michael

Tilton, Franklin  
Gallagher, Brian

Fields, Dennis  
Hurt, George

Fisher, Robert  
Russell, David

#### CARROLL

Buco, Thomas  
Crawford, Karel  
Ticehurst, Susan

Butler, Edward  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Schmidt, Stephen

#### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

Berch, Paul  
Emerson, Susan  
Ley, Douglas  
Phillips, Larry  
Sterling, Franklin

Bordenet, John  
Johnsen, Gladys  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

Chase, Cynthia  
Hunt, John  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

#### COOS

Fothergill, John  
Rappaport, Laurence  
Thomas, Yvonne

Froburg, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihn, Wayne  
Tholl, John

#### GRAFTON

Abel, Richard  
Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Bailey, Brad  
Hennessey, Erin  
Hull, Robert  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Ford, Susan  
Ladd, Rick  
Brown, Rebecca  
Townsend, Charles

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert
Balcom, John	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Boehm, Ralph	Booras, Efstathia	Christensen, Chris
Roberts, Carol	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Sullivan, Daniel	Danielson, David	DiSilvestro, Linda
Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gagne, Larry	Gargas, Carolyn
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Guerette, C. Lee
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Belanger, James
Jack, Martin	Judy, Jean	Rice, Kimberly	Katsiantonis, Thomas
Christiansen, Lars	Ober, Lynne	LeBrun, Donald	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
McClarren, Donald	McNamara, Richard	Murotake, David	O'Neil, William
Brown, Pamela	Long, Patrick	McCarthy, Peggy	Palmer, Barry
Peterson, Ken	Pierce, David	Porter, Marjorie	Ober, Russell
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Schleien, Eric	Scoutsas, Lisa	Shattuck, Gilman	Simmons, Tammy
Snow, Kendall	Takesian, Charlene	Sullivan, Victoria	Vann, Ivy
Williams, Kermit	Wolf, Terry	Woodbury, David	Zaricki, Nick

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	McGuire, Carol	Rice, Chip	Carson, Clyde
Long, Douglas	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Hill, Gregory
Frazer, June	Kenison, Linda	Kidder, David	Kotowski, Frank
Kuch, Bill	Luneau, David	MacKay, James	Marple, Richard
Martin, John	Moffett, Howard	Myler, Mel	Ratzki, Mario
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Walsh, Thomas
Wallner, Mary Jane	Wheeler, Deborah		

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Azarian, Gary	Barnes, Arthur
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cook, Allen	Cushing, Robert	Thomas, Douglas	Dean-Bailey, Yvonne
DeSimone, Debra	Devine, James	DiFranco, Debbie	Duarte, Joe
Edgar, Michael	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Francesse, Paula	Friel, William	Ward, Gerald
Guthrie, Joseph	Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen
Introne, Robert	Ward, Joanne	Katsakiores, Phyllis	Kolodziej, Walter
Lovejoy, Patricia	Griffin, Mary	Major, Norman	Manning, John
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Gordon, Pamela
Packard, Sherman	Pantelakos, Laura	Potucek, John	Sherman, Thomas
Simpson, Alexis	Sytek, John	Tucker, Pamela	Vose, Michael
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len
Gardner, Janice	Gray, James	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Ward, Kenneth	Kaen, Naida	Leeman, Don

Smith, Marjorie  
Rollo, Deanna  
Stevens, Audrey

Mullen, John  
Southworth, Thomas  
Treleven, Susan

Schmidt, Peter  
Spang, Judith  
Wall, Janet

Pitre, Joseph  
Sprague, Dale

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

### NAYS - 83

### BELKNAP

Aldrich, Glen  
Fraser, Valerie

Howard, Raymond  
Vadney, Herbert

LeBreche, Shari  
Varney, Peter

Spanos, Peter

### CARROLL

Avellani, Lino

Cordelli, Glenn

Nelson, Bill

Parker, Harold

### CHESHIRE

Abbott, Michael

Tilton, Benjamin

McConnell, James

### COOS

Rideout, Leon

### GRAFTON

Brown, Duane

Johnson, Eric

Ingretson, Paul

### HILLSBOROUGH

Burt, John  
Estevez, Eric  
Lachance, Joseph  
Notter, Jeanine  
Proulx, Mark  
Souza, Kathleen

Byron, Frank  
Hansen, Peter  
McLean, Mark  
Ohm, Bill  
Christie, Rick  
Straight, Phillip

Donovan, Daniel  
Hogan, Edith  
Moore, Josh  
Parison, James  
Sanborn, Laurie  
Twombly, Timothy

Eastman, Eric  
Hopper, Gary  
Murphy, Keith  
Pellegrino, Anthony  
Seidel, Carl  
Ulery, Jordan

### MERRIMACK

Brewster, Michael  
Horn, Werner  
Seaworth, Brian

McGuire, Dan  
Karrick, David

French, Harold  
Patten, Dick

Hoell, J.R.  
Rogers, Katherine

### ROCKINGHAM

Abramson, Max  
Bush, Carol  
Rice, Frederick  
Hodgdon, Bruce  
Lundgren, David  
Gordon, Richard

Allen, Mary  
Cardon, G. Thomas  
Gannon, William  
Itse, Daniel  
Osborne, Jason  
Tilton, Rio

Baldasaro, Alfred  
Chirichiello, Brian  
Green, Dennis  
Sweeney, Joe  
Peckham, Michele  
Spillane, James

Bates, David  
Chase, Francis  
Harris, Jeffrey  
Kappler, Lawrence  
Prudhomme-O'Brien, Katherine  
True, Chris

### STRAFFORD

DeLemus, Susan  
Turcotte, Leonard

Graham, Robert  
Wuelper, Kurt

Groen, Warren

Kaczynski, Thomas

### SULLIVAN

Laware, Thomas  
and the committee report was adopted.

Rollins, Skip

**HB 1371**, establishing a committee to study education savings accounts for families of special needs students. **REFER FOR INTERIM STUDY.**

Rep. James Grenier for Education. This bill proposes a committee study of education savings accounts (ESA's) that are similar to health savings accounts that permit the account holder to pay for doctor's visits, medication, or other needs that they believe necessary. This program would include grades K through college. ESA's allow parents to actually take control of and customize their children's education. For those students with special needs, this bill supports tailoring learning to those needs. Vote 21-0.

Committee report adopted.

**HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Deanna Rollo for the Majority of Education. This bill requires the commissioner of the department of education to report on the number of students receiving differentiated aid from the state and to compare the statewide assessment results of those students, by category of aid received, with the statewide assessment results of students not receiving differentiated aid. Currently the DOE reports assessment information by sub groups and for multiple years. However local school districts do not collect and report program intervention data consistently based on how they employ adequacy funds. Therefore this bill could be construed as a hardship for local school districts. Vote 11-10.

Rep. Glenn Cordelli for the Minority of Education. This bill requires the Department of Education to report accountability and data relative to the four categories of differentiated aid in the adequacy formula. This information is available in the state student database. We need to make sure that our scarce education funds are producing the desired results, or look at other means to gain those results.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cordelli spoke against and yielded to questions.

Rep. Ammon requested a roll call; sufficiently seconded.

## YEAS 180 NAYS 177

### YEAS - 180

#### BELKNAP

Gallagher, Brian

#### CARROLL

Buco, Thomas  
Umberger, Karen

Butler, Edward

Parker, Harold

Ticehurst, Susan

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara

### COOS

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

### GRAFTON

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Gionet, Edmond  
Nordgren, Sharon  
Townsend, Charles

Bennett, Travis  
Higgins, Patricia  
Brown, Rebecca  
White, Andrew

Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Booras, Efsthathia  
Cote, David  
Forest, Armand  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
Christiansen, Lars  
Manley, Jonathan  
Long, Patrick  
Walsh, Robert  
Vann, Ivy

Baroody, Benjamin  
Christensen, Chris  
Sullivan, Daniel  
Freitas, Mary  
Gorman, Mary  
Harvey, Suzanne  
Belanger, James  
Leishman, Peter  
McNamara, Richard  
Palmer, Barry  
Rosenwald, Cindy  
Williams, Kermit

Barry, Richard  
Roberts, Carol  
DiSilvestro, Linda  
Gagne, Larry  
Guerette, C. Lee  
Heath, Mary  
Jack, Martin  
O'Brien, Michael  
O'Neil, William  
Pierce, David  
Shattuck, Gilman  
Wolf, Terry

Beaulieu, Jane  
Cornell, Patricia  
Flanagan, Jack  
Gargas, Carolyn  
Halstead, Carolyn  
Herbert, Christopher  
Judy, Jean  
Mangipudi, Latha  
Brown, Pamela  
Proulx, Mark  
Snow, Kendall  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Deloge, Helen  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Doherty, David  
Hess, David  
Kidder, David  
Marple, Richard  
Ratzki, Mario  
Shurtleff, Stephen

French, Barbara  
Carson, Clyde  
Ebel, Karen  
Frazer, June  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

Bartlett, Christy  
Long, Douglas  
Gile, Mary  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Christie, Andrew  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Heffron, Frank  
McBeath, Rebecca  
Pantelakos, Laura

Abrami, Patrick  
Cushing, Robert  
Francese, Paula  
Hoelzel, Kathleen  
McMahon, Charles  
Sherman, Thomas

Berrien, Skip  
Devine, James  
Ward, Gerald  
Lovejoy, Patricia  
Milz, David  
Simpson, Alexis

Cahill, Michael  
DiFranco, Debbie  
Hagan, Joseph  
Manning, John  
Gordon, Pamela

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale

Berube, Roger  
DiSesa, Len  
Ward, Kenneth  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Treleven, Susan

Burton, Wayne  
Gray, James  
Smith, Marjorie  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 177****BELKNAP**

Aldrich, Glen  
Fisher, Robert  
LeBreche, Shari  
Fraser, Valerie

Dumais, Russell  
Flanders, Donald  
Russell, David  
Vadney, Herbert

Tilton, Franklin  
Howard, Raymond  
Spanos, Peter  
Varney, Peter

Fields, Dennis  
Hurt, George  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank

Comeau, Ed  
McConkey, Mark

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Tilton, Benjamin

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Bailey, Brad  
Johnson, EricBrown, Duane  
Hull, RobertDarrow, Stephen  
Ingbretson, PaulHennessey, Erin  
Ladd, Rick**HILLSBOROUGH**Adams, Christopher  
Biggie, Barbara  
Coffey, James  
Edeblut, Frank  
Gould, Linda  
Hopper, Gary  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Scotsas, Lisa  
Straight, Phillip  
Sullivan, VictoriaAmmon, Keith  
Boehm, Ralph  
Danielson, David  
Edwards, Elizabeth  
Haefner, Robert  
Rice, Kimberly  
Marston, Dick  
Murotake, David  
McCarthy, Peggy  
Porter, Marjorie  
Rowe, Robert  
Seidel, Carl  
Takesian, Charlene  
Zaricki, NickGriffin, Barbara  
Burt, John  
Donovan, Daniel  
Estevez, Eric  
Hansen, Peter  
Katsiantonis, Thomas  
McClarren, Donald  
Murphy, Keith  
Parison, James  
Christie, Rick  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, TimothyBalcom, John  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Hogan, Edith  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Pellegriano, Anthony  
Ober, Russell  
Schleien, Eric  
Souza, Kathleen  
Ulery, Jordan**MERRIMACK**Brewster, Michael  
Hill, Gregory  
Martin, JohnMcGuire, Carol  
Hoell, J.R.  
Seaworth, BrianMcGuire, Dan  
Horn, WernerFrench, Harold  
Kuch, Bill**ROCKINGHAM**Abramson, Max  
Barnes, Arthur  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Fesh, Robert  
Guthrie, Joseph  
Itse, Daniel  
Katsakiores, Phyllis  
Major, Norman  
O'Connor, John  
Potucek, John  
Schroadter, Adam  
Tucker, Pamela  
Weyler, KennethAllen, Mary  
Bates, David  
Chirichiello, Brian  
DeSimone, Debra  
Chase, Francis  
Friel, William  
Harris, Jeffrey  
Sweeney, Joe  
Kolodziej, Walter  
Matthews, Carolyn  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Vose, Michael  
Woitkun, StevenAzarian, Gary  
Borden, David  
Cook, Allen  
Duarte, Joe  
Rice, Frederick  
Gannon, William  
Hodgdon, Bruce  
Ward, Joanne  
Lundgren, David  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
Sytek, John  
Webb, JamesBaldasaro, Alfred  
Bush, Carol  
Thomas, Douglas  
Elliott, Robert  
Ferrante, Beverly  
Green, Dennis  
Introne, Robert  
Kappler, Lawrence  
Griffin, Mary  
Nigrello, Robert  
Peckham, Michele  
Tilton, Rio  
True, Chris  
Welch, David**STRAFFORD**Bickford, David  
Groen, Warren  
Turcotte, Leonard  
Wuelper, KurtCheney, Catherine  
Hannon, Joseph  
Leeman, DonDeLemus, Susan  
Jones, Laura  
Mullen, JohnGraham, Robert  
Kaczynski, Thomas  
Pitre, Joseph**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report was adopted.  
Rep. Porter voted Nay and intended to vote Yea.

**HB 1484**, relative to the election of members of the state board of education. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Terry Wolf for the Majority of Education. Members of the state board of education are currently nominated by the governor and approved by the executive council. Under this bill, five board members would be elected to the state board of education using the same districts as the executive council. The majority feels there is currently a process of checks and balances. Electing board members would make the process even more political with less qualified candidates. Vote 13-6.

Rep. Glenn Cordelli for the Minority of Education. The state board of education (BOE) is comprised of seven members – two at large members and 1 member from each of the five executive council districts. All are currently appointed by the governor. This bill changes appointment of the board members from the executive council districts to election by the people of each district. The governor will still appoint the two at large members and appoint the board chair. The minority believes the election of these members will put parents more in touch with their state board member, improve communication, and lead to a public discussion of school issues and greater accountability. We have confidence in the people to elect good people to the BOE, after all, they elected us.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cordelli spoke against.

Rep. Wolf spoke in favor.

On a division vote, with 225 members having voted in the affirmative, and 126 in the negative, the majority committee report was adopted.

**HB 1637-FN**, relative to school attendance in towns with no public schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the Majority of Education. There is currently a lawsuit pending on this issue; it may be already legal, but this bill clarifies certain aspects of the law. This bill allows a school district to assign a child to another public school in another school district or to an approved, non-religious private school if there is no public school for the child's grade in the child's resident district. The amendment states a private school approved for attendance. If a school district does not have its own public school for certain grades, the school district may tuition students to a non-religious private school that is approved for attendance by the Department of Education. This gives local control to school districts to do what is best for their children. Vote 12-9.

Rep. Mary Heath for the Minority of Education. The minority finds that while the intent and purpose of this bill to provide children for whom the town does not have access to a public school another private alternative is noteworthy; the full implication of this action is unclear. Also, there is a pending legal status related to this bill that should be settled prior to the establishment of the actions defined in this bill, to first determine its legality. In addition, as enacted, the far reaching implications and impact on NH's public education system have not been identified and must be considered and studied before this bill takes effect both at the state and local level.

#### **Majority Amendment (0878h)**

Amend the introductory paragraph of RSA 193:1, I as inserted by section 1 of the bill by replacing it with the following:

I. A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child's resident district. ***If there is no public school for the child's grade in the resident district, the district may assign the child to another public school in another school district or to a non-religious private school which has been approved for attendance by the department of education.*** Such child shall attend full time when such school is in session unless:

Amend RSA 194:22 as inserted by section 2 of the bill by replacing it with the following:

194:22 Contracts With Schools. Any school district may make a contract with an academy, high school, ***non-religious private school***, or other literary institution located in this or, when distance or transportation facilities make it necessary, in another state, ***to provide for the education of a pupil who resides in the district*** and raise and appropriate money to carry the contract into effect. [~~If the contract is approved by the state board the school with which it is made shall be deemed a high school maintained by the district.~~] ***Notwithstanding any provision of law to the contrary, a school***

***board may make a contract with any non-religious private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.***

Amend RSA 194:27 as inserted by section 3 of the bill by replacing it with the following:

194:27 Tuition. Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any pupil who with parents or guardian resides in said district, or who, as a resident of said district, after full investigation by the state board of education is determined to be entitled to have his or her tuition paid by the district where the pupil resides, and who attends an approved public high school [or], public school of corresponding grade in another district [or], an approved public academy, ***or a non-religious private school which has been approved for attendance by the department of education.*** Except under contract as provided in RSA 194:22, the liability of any school district hereunder for the tuition of any pupil shall be the current expenses of operation of the receiving district for its high school, as estimated by the state board of education for the preceding school year. This current expense of operation shall include all costs except costs of transportation of pupils.

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 New Paragraph; School Boards; Duty to Provide Education. Amend RSA 189:1-a by inserting after paragraph III the following new paragraph:

IV. Notwithstanding any provision of law to the contrary, a school board may make a contract with any non-religious private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.

#### AMENDED ANALYSIS

This bill allows a school district to assign a child to another public school in another school district or to an approved, non-religious private school if there is no public school for the child's grade in the child's resident district. The bill also allows a school board to make a contract with a non-religious private school to provide for the education of a child who resides in a district which does not have a public school at the child's grade level.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 208 members having voted in the affirmative, and 143 in the negative, the majority committee report was adopted and ordered to third reading.

#### REGULAR CALENDAR - PART III

**HB 1135**, relative to physical force in defense of a person. **INEXPEDIENT TO LEGISLATE.** Rep. Len DiSesa for Criminal Justice and Public Safety. The Attorney General's Office and the NH Department of Safety strongly opposed this bill. It would make substantial changes to the law regarding deadly force and it would greatly expand the conditions when deadly force was to be used. As the statute stands now, one can only use deadly force against another person in self-defense if he or she reasonably believes that the other person is about to use unlawful deadly force against him or her (or another person). This bill expands that by making it legal to use deadly force against another person who he or she – or some other reasonable person – would reasonably believe is about to commit a felony against him/herself or another person. There are many felony-level crimes in the New Hampshire statutes that are not personal injury crimes, such as fraud, or crimes against property. Under the language changes in this bill, it would be legal for a person to use deadly force against another if one believed that person was about to commit fraud, or a computer crime, or any of the many other non-violent felonies covered under the statute. Further, this bill deletes and repeals a section of the deadly force law that allows for the use of deadly force to stop a kidnapping or forcible rape. Why would we want to do that? It also deletes a current provision that says that a private citizen who is assisting a law enforcement officer at the officer's request and direction and acting within the same laws that the officer must abide by, need not retreat from an encounter but may continue to assist the officer. That person is currently covered under these conditions under the "color of law." Removing this language



would remove the protection for a citizen who assists a police officer in a dangerous situation. This bill also expands the current definition of the word "dwelling" and instead defines a dwelling to include a shed, barn, outhouse, attached porch, conveyance of any kind which has a roof over it (including a tent). The definition in current law is broad enough to incorporate most of these because it means any building, structure, boat or other place adapted for overnight accommodation of persons. Vote 17-0. Rep. DiSesa spoke in favor.

Rep. Abramson spoke against, yielded to questions and requested a roll call; sufficiently seconded.

## YEAS 329 NAYS 30

### YEAS - 329

#### BELKNAP

Dumais, Russell  
Flanders, Donald  
Russell, David

Tilton, Franklin  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Hurt, George  
Vadney, Herbert

Fisher, Robert  
LeBreche, Shari  
Varney, Peter

#### CARROLL

Avellani, Lino  
Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Buco, Thomas  
Cordelli, Glenn  
Nelson, Bill

Butler, Edward  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank  
Ticehurst, Susan

#### CHESHIRE

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Mann, John  
Phillips, Larry  
Tatro, Bruce

Ames, Richard  
Chase, Cynthia  
Hunt, John  
McConnell, James  
Robertson, Timothy  
Weber, Lucy

Tilton, Benjamin  
Eaton, Daniel  
Roberts, Kris  
Parkhurst, Henry  
Sad, Tara

Berch, Paul  
Emerson, Susan  
Ley, Douglas  
Pearson, William  
Shepardson, Marjorie

#### COOS

Fothergill, John  
Rappaport, Laurence  
Thomas, Yvonne

Froburg, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

#### GRAFTON

Abel, Richard  
Cooney, Mary  
Ford, Susan  
Ladd, Rick  
Brown, Rebecca  
Townsend, Charles

Almy, Susan  
Brown, Duane  
Gionet, Edmond  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Hennessey, Erin  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Bennett, Travis  
Johnson, Eric  
Ingbreton, Paul  
Nordgren, Sharon  
Sykes, George

#### HILLSBOROUGH

Adams, Christopher  
Baroody, Benjamin  
Booras, Efstathia  
Coffey, James  
Sullivan, Daniel  
Eastman, Eric  
Ferreira, Elizabeth  
Gargas, Carolyn  
Gould, Linda  
Hansberry, Daniel  
Herbert, Christopher  
Jack, Martin  
Kurk, Neal  
Leishman, Peter  
Marston, Dick

Griffin, Barbara  
Barry, Richard  
Burt, John  
Cohen, Alan  
Danielson, David  
Edelblut, Frank  
Flanagan, Jack  
Goley, Jeffrey  
Guerette, C. Lee  
Hansen, Peter  
Hinch, Richard  
Judy, Jean  
Ober, Lynne  
O'Brien, Michael  
McClarren, Donald

Backus, Robert  
Beaulieu, Jane  
Byron, Frank  
Cornell, Patricia  
DiSilvestro, Linda  
Edwards, Elizabeth  
Freitas, Mary  
Gonzalez, Carlos  
Haefner, Robert  
Harvey, Suzanne  
Infantine, William  
Rice, Kimberly  
Lachance, Joseph  
Mangipudi, Latha  
McLean, Mark

Balcom, John  
Biggie, Barbara  
Roberts, Carol  
Cote, David  
Donovan, Daniel  
Estevez, Eric  
Gagne, Larry  
Gorman, Mary  
Halstead, Carolyn  
Heath, Mary  
Belanger, James  
Katsiantonis, Thomas  
LeBrun, Donald  
Manley, Jonathan  
McNamara, Richard

Murotake, David  
Ohm, Bill  
Palmer, Barry  
Porter, Marjorie  
Walsh, Robert  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene  
Vann, Ivy  
Zaricki, Nick

Murphy, Keith  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Rosenwald, Cindy  
Schleien, Eric  
Snow, Kendall  
Twombly, Timothy  
Williams, Kermit

Notter, Jeanine  
Long, Patrick  
Peterson, Ken  
Christie, Rick  
Rouillard, Claire  
Scotsas, Lisa  
Souza, Kathleen  
Ulery, Jordan  
Wolf, Terry

O'Neil, William  
McCarthy, Peggy  
Pierce, David  
Ober, Russell  
Rowe, Robert  
Shattuck, Gilman  
Straight, Phillip  
Sullivan, Victoria  
Woodbury, David

## MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Long, Douglas  
Ebel, Karen  
Hess, David  
Kidder, David  
MacKay, James  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

Alicea, Caroletta  
Brewster, Michael  
McGuire, Dan  
Gile, Mary  
Hoell, J.R.  
Kotowski, Frank  
Marple, Richard  
Patten, Dick  
Schuett, Dianne  
Wallner, Mary Jane

French, Barbara  
Rice, Chip  
Deloge, Helen  
French, Harold  
Karrick, David  
Kuch, Bill  
Martin, John  
Ratzki, Mario  
Seaworth, Brian  
Wheeler, Deborah

Bartlett, Christy  
Carson, Clyde  
Doherty, David  
Henle, Paul  
Kenison, Linda  
Luneau, David  
Moffett, Howard  
Rogers, Katherine  
Shurtleff, Stephen

## ROCKINGHAM

Christie, Andrew  
Baldasaro, Alfred  
Borden, David  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Edgar, Michael  
Rice, Frederick  
Friel, William  
Hagan, Joseph  
Introne, Robert  
Kappler, Lawrence  
Lundgren, David  
Matthews, Carolyn  
Miltz, David  
Gordon, Pamela  
Potucek, John  
Simpson, Alexis  
Tucker, Pamela  
Weyler, Kenneth

Abrami, Patrick  
Barnes, Arthur  
Cahill, Michael  
Cook, Allen  
DeSimone, Debra  
Elliott, Robert  
Ferrante, Beverly  
Ward, Gerald  
Harris, Jeffrey  
Itse, Daniel  
Katsakiores, Phyllis  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Packard, Sherman  
Tilton, Rio  
Spillane, James  
Vose, Michael  
Woitkun, Steven

Allen, Mary  
Bates, David  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Devine, James  
Emerick, J. Tracy  
Fesh, Robert  
Gannon, William  
Heffron, Frank  
Sweeney, Joe  
Kolodziej, Walter  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Pantelakos, Laura  
Schroadter, Adam  
Sytek, John  
Webb, James

Azarian, Gary  
Berrien, Skip  
Cardon, G. Thomas  
Thomas, Douglas  
DiFranco, Debbie  
Chase, Francis  
Francese, Paula  
Green, Dennis  
Hoelzel, Kathleen  
Ward, Joanne  
Lovejoy, Patricia  
Manning, John  
McMahon, Charles  
Osborne, Jason  
Peckham, Michele  
Sherman, Thomas  
True, Chris  
Welch, David

## STRAFFORD

Baber, William  
Burton, Wayne  
DiSesa, Len  
Hannon, Joseph  
Kaen, Naida  
Mullen, John  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
Cheney, Catherine  
Gardner, Janice  
Horrigan, Timothy  
Turcotte, Leonard  
Schmidt, Peter  
Spang, Judith  
Wuelper, Kurt

Bickford, David  
Cilley, Jacalyn  
Graham, Robert  
Jones, Laura  
Leeman, Don  
Pitre, Joseph  
Stevens, Audrey

Bixby, Peter  
DeLemus, Susan  
Gray, James  
Ward, Kenneth  
Smith, Marjorie  
Rollo, Deanna  
Treleavan, Susan

## SULLIVAN

Schmidt, Andrew  
Grenier, James  
Oxenham, Lee

Cloutier, John  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Gottling, Suzanne  
O'Heame, Andrew

**NAYS - 30****BELKNAP**

Aldrich, Glen	Howard, Raymond	Sylvia, Michael	Fraser, Valerie
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**CHESHIRE**

Sterling, Franklin

**COOS**

Rideout, Leon

**GRAFTON**

Darrow, Stephen	Hull, Robert
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**HILLSBOROUGH**

Ammon, Keith	Boehm, Ralph	Forest, Armand	Hogan, Edith
Hopper, Gary	Christiansen, Lars	Moore, Josh	Parison, James
Seidel, Carl			

**MERRIMACK**

McGuire, Carol	Hill, Gregory	Horn, Werner
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**ROCKINGHAM**

Abramson, Max	Bush, Carol	Duarte, Joe	Guthrie, Joseph
Hodgdon, Bruce	Prudhomme-O'Brien, Katherine	Gordon, Richard	

**STRAFFORD**

Groen, Warren	Kaczynski, Thomas
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**SULLIVAN**

Converse, Larry  
and the committee report was adopted.

**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders.  
**OUGHT TO PASS.**

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. This bill prohibits any political subdivision of the state from adopting an ordinance or bylaw that restricts the residence of a sexual offender or an offender against children. When released, sex offenders tend to want to live in the community they came from to get back on their feet with the assistance of family. Local residency restrictions could defeat the purpose of the registration process, producing conditions that hamper efforts to monitor and supervise offenders. Worse, some offenders will simply go "underground" where they become impossible to track. Residency restrictions may in fact be unconstitutional beyond being a threat to public safety. This bill is supported by NH law enforcement as well as the New Hampshire Coalition Against Domestic and Sexual Violence. Vote 15-1.

**MOTION TO LAY ON THE TABLE**

Rep. Webb moved that **HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders, be laid on the table.

Rep. Webb requested a roll call; sufficiently seconded.

**YEAS 122 NAYS 237****YEAS - 122****BELKNAP**

Flanders, Donald	Gallagher, Brian	Howard, Raymond	Hurt, George
Russell, David	Spanos, Peter	Fraser, Valerie	Varney, Peter

**CARROLL**

Avellani, Lino	Chandler, Gene	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark			

**CHESHIRE**

Tilton, Benjamin	Hunt, John	Mann, John	Sterling, Franklin
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**COOS**

Richardson, Herbert	Rideout, Leon	Theberge, Robert	Thomas, Yvonne
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**GRAFTON**

Bailey, Brad	Brown, Duane	Hennessey, Erin	Johnson, Eric
Ingbreton, Paul			

**HILLSBOROUGH**

Adams, Christopher	Balcom, John	Biggie, Barbara	Boehm, Ralph
Burt, John	Byron, Frank	Ferreira, Elizabeth	Flanagan, Jack
Gonzalez, Carlos	Gorman, Mary	Gould, Linda	Haefner, Robert
Hansen, Peter	Hogan, Edith	Infantine, William	Rice, Kimberly
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Manley, Jonathan
McClarren, Donald	Murotake, David	Notter, Jeanine	McCarthy, Peggy
Parison, James	Pellegrino, Anthony	Proulx, Mark	Christie, Rick
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Scotsas, Lisa
Seidel, Carl	Simmons, Tammy	Souza, Kathleen	Straight, Phillip
Twombly, Timothy			

**MERRIMACK**

Turcotte, Alan	Long, Douglas	French, Harold	Hill, Gregory
Horn, Werner	Kidder, David	Marple, Richard	Wheeler, Deborah

**ROCKINGHAM**

Allen, Mary	Azarian, Gary	Baldasaro, Alfred	Bates, David
Bush, Carol	Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne
DeSimone, Debra	Devine, James	Duarte, Joe	Chase, Francis
Rice, Frederick	Ferrante, Beverly	Gannon, William	Green, Dennis
Guthrie, Joseph	Hodgdon, Bruce	Sweeney, Joe	Ward, Joanne
Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McKinney, Betsy	O'Connor, John	Packard, Sherman	Potucek, John
Prudhomme-O'Brien, Katherine	Gordon, Richard	Spillane, James	True, Chris
Tucker, Pamela	Vose, Michael	Webb, James	

**STRAFFORD**

DeLemus, Susan	Gray, James	Groen, Warren	Jones, Laura
Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don	Mullen, John
Wuelper, Kurt			

**SULLIVAN**

Cloutier, John	Laware, Thomas	Rollins, Skip
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**NAYS - 237****BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Fisher, Robert	LeBreche, Shari	Sylvia, Michael	Vadney, Herbert

**CARROLL**

Buco, Thomas	Butler, Edward	Comeau, Ed	Crawford, Karel
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Berch, Paul  
Emerson, Susan  
McConnell, James  
Robertson, Timothy  
Weber, Lucy

Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara

**COOS**

Fothergill, John  
Rappaport, Laurence

Froburg, Alethea  
Tholl, John

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Hull, Robert  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Ford, Susan  
Ladd, Rick  
Brown, Rebecca  
Townsend, Charles

Bennett, Travis  
Gionet, Edmond  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

**HILLSBOROUGH**

Ammon, Keith  
Barry, Richard  
Roberts, Carol  
Cote, David  
Donovan, Daniel  
Estevez, Eric  
Gargas, Carolyn  
Hansberry, Daniel  
Hinch, Richard  
Katsiantonis, Thomas  
O'Brien, Michael  
McNamara, Richard  
Ohm, Bill  
Peterson, Ken  
Walsh, Robert  
Snow, Kendall  
Vann, Ivy  
Zaricki, Nick

Griffin, Barbara  
Beaulieu, Jane  
Coffey, James  
Sullivan, Daniel  
Eastman, Eric  
Forest, Armand  
Goley, Jeffrey  
Harvey, Suzanne  
Belanger, James  
Christiansen, Lars  
Mangipudi, Latha  
Moore, Josh  
Brown, Pamela  
Pierce, David  
Rosenwald, Cindy  
Takesian, Charlene  
Williams, Kermit

Backus, Robert  
Booras, Efstathia  
Cohen, Alan  
Danielson, David  
Edelblut, Frank  
Freitas, Mary  
Guerette, C. Lee  
Heath, Mary  
Jack, Martin  
Ober, Lynne  
Marston, Dick  
Murphy, Keith  
Long, Patrick  
Porter, Marjorie  
Schleien, Eric  
Ulery, Jordan  
Wolf, Terry

Baroody, Benjamin  
Bouldin, Amanda  
Cornell, Patricia  
DiSilvestro, Linda  
Edwards, Elizabeth  
Gagne, Larry  
Halstead, Carolyn  
Herbert, Christopher  
Judy, Jean  
Leishman, Peter  
McLean, Mark  
O'Neil, William  
Palmer, Barry  
Ober, Russell  
Shattuck, Gilman  
Sullivan, Victoria  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Brewster, Michael  
McGuire, Dan  
Gile, Mary  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

French, Barbara  
McGuire, Carol  
Deloge, Helen  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Rice, Chip  
Doherty, David  
Hess, David  
Kotowski, Frank  
Martin, John  
Ratzki, Mario  
Seaworth, Brian

Bradley, Paula  
Carson, Clyde  
Ebel, Karen  
Hoell, J.R.  
Kuch, Bill  
Moffett, Howard  
Rogers, Katherine  
Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
Berrien, Skip  
Cardon, G. Thomas  
Edgar, Michael  
Francese, Paula  
Harris, Jeffrey  
Itse, Daniel  
Milz, David

Abrami, Patrick  
Borden, David  
Cushing, Robert  
Elliott, Robert  
Friel, William  
Heffron, Frank  
Lovejoy, Patricia  
Nigrello, Robert

Abramson, Max  
Cahill, Michael  
Thomas, Douglas  
Emerick, J. Tracy  
Ward, Gerald  
Hoelzel, Kathleen  
McBeath, Rebecca  
Osborne, Jason

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Fesh, Robert  
Hagan, Joseph  
Introne, Robert  
McMahon, Charles  
Gordon, Pamela

Pantelakos, Laura  
Sherman, Thomas  
Weyler, Kenneth

Peckham, Michele  
Simpson, Alexis  
Woitkun, Steven

Tilton, Rio  
Sytek, John

Schroadter, Adam  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Gardner, Janice  
Ward, Kenneth  
Pitre, Joseph  
Stevens, Audrey

Berube, Roger  
Cheney, Catherine  
Graham, Robert  
Kaen, Naida  
Rollo, Deanna  
Treleven, Susan

Bickford, David  
Cilley, Jacalyn  
Hannon, Joseph  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Bixby, Peter  
DiSesa, Len  
Horrigan, Timothy  
Schmidt, Peter  
Spang, Judith

### SULLIVAN

Schmidt, Andrew  
Grenier, James  
Smith, Steven  
and the motion failed.

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

The question now being adoption of the committee report of Ought to Pass.

Rep. Prudhomme-O'Brien spoke against.

Rep. Cushing spoke in favor and yielded to questions.

Rep. Baldasaro spoke against and requested a roll call; sufficiently seconded.

**YEAS 264 NAYS 92**

### YEAS - 264

#### BELKNAP

Aldrich, Glen  
Fisher, Robert  
Russell, David

Dumais, Russell  
Flanders, Donald  
Sylvia, Michael

Tilton, Franklin  
Gallagher, Brian  
Vadney, Herbert

Fields, Dennis  
LeBreche, Shari

#### CARROLL

Butler, Edward  
Nelson, Bill

Comeau, Ed  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

#### CHESHIRE

Abbott, Michael  
Eaton, Daniel  
Roberts, Kris  
Pearson, William  
Tatro, Bruce

Ames, Richard  
Emerson, Susan  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Mann, John  
Sad, Tara

Bordenet, John  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie

#### COOS

Fothergill, John  
Rappaport, Laurence

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

#### GRAFTON

Abel, Richard  
Cooney, Mary  
Higgins, Patricia  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Darrow, Stephen  
Hull, Robert  
Massimilla, Linda  
Sykes, George

Bailey, Brad  
Ford, Susan  
Ingbreton, Paul  
Nordgren, Sharon  
Townsend, Charles

Bennett, Travis  
Gionet, Edmund  
Ladd, Rick  
Brown, Rebecca  
White, Andrew

#### HILLSBOROUGH

Ammon, Keith  
Barry, Richard  
Burt, John

Backus, Robert  
Beaulieu, Jane  
Roberts, Carol

Balcom, John  
Biggie, Barbara  
Coffey, James

Baroody, Benjamin  
Bouldin, Amanda  
Cohen, Alan

Cornell, Patricia  
DiSilvestro, Linda  
Forest, Armand  
Goley, Jeffrey  
Guerette, C. Lee  
Hansen, Peter  
Hinch, Richard  
Rice, Kimberly  
Lachance, Joseph  
Mangipudi, Latha  
Murotake, David  
Ohm, Bill  
Parison, James  
Walsh, Robert  
Scotsas, Lisa  
Takesian, Charlene  
Wolf, Terry

Cote, David  
Donovan, Daniel  
Freitas, Mary  
Gonzalez, Carlos  
Haefner, Robert  
Harvey, Suzanne  
Belanger, James  
Katsiantonis, Thomas  
LeBrun, Donald  
Marston, Dick  
Murphy, Keith  
Brown, Pamela  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Ulery, Jordan  
Woodbury, David

Sullivan, Daniel  
Eastman, Eric  
Gagne, Larry  
Gorman, Mary  
Halstead, Carolyn  
Heath, Mary  
Jack, Martin  
Kurk, Neal  
Leishman, Peter  
McLean, Mark  
Notter, Jeanine  
Long, Patrick  
Porter, Marjorie  
Rowe, Robert  
Simmons, Tammy  
Vann, Ivy

Danielson, David  
Edwards, Elizabeth  
Gargas, Carolyn  
Gould, Linda  
Hansberry, Daniel  
Herbert, Christopher  
Judy, Jean  
Ober, Lynne  
O'Brien, Michael  
McNamara, Richard  
O'Neil, William  
Palmer, Barry  
Ober, Russell  
Schleien, Eric  
Snow, Kendall  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Brewster, Michael  
McGuire, Dan  
Gile, Mary  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

French, Barbara  
McGuire, Carol  
Deloge, Helen  
French, Harold  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Schuett, Diane  
Wheeler, Deborah

Bartlett, Christy  
Rice, Chip  
Doherty, David  
Henle, Paul  
Kidder, David  
Marple, Richard  
Ratzki, Mario  
Seaworth, Brian

Bradley, Paula  
Carson, Clyde  
Ebel, Karen  
Hoell, J.R.  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Shurtleff, Stephen

### ROCKINGHAM

Christie, Andrew  
Barnes, Arthur  
Cahill, Michael  
Dean-Bailey, Yvonne  
Elliott, Robert  
France, Paula  
Heffron, Frank  
Sweeney, Joe  
Lovejoy, Patricia  
McBeath, Rebecca  
Gordon, Pamela  
Tilton, Rio  
Spillane, James  
Weyler, Kenneth

Abrami, Patrick  
Berrien, Skip  
Cali-Pitts, Jacqueline  
Devine, James  
Emerick, J. Tracy  
Ward, Gerald  
Hodgdon, Bruce  
Ward, Joanne  
Griffin, Mary  
McMahon, Charles  
Packard, Sherman  
Schroadter, Adam  
Sytek, John

Abramson, Max  
Borden, David  
Cook, Allen  
DiFranco, Debbie  
Chase, Francis  
Hagan, Joseph  
Hoelzel, Kathleen  
Kappler, Lawrence  
Major, Norman  
Milz, David  
Pantelakos, Laura  
Sherman, Thomas  
Vose, Michael

Azarian, Gary  
Bush, Carol  
Cushing, Robert  
Edgar, Michael  
Fesh, Robert  
Harris, Jeffrey  
Introne, Robert  
Katsakiores, Phyllis  
Matthews, Carolyn  
Osborne, Jason  
Potucek, John  
Simpson, Alexis  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Gardner, Janice  
Ward, Kenneth  
Schmidt, Peter  
Spang, Judith

Berube, Roger  
Cheney, Catherine  
Gray, James  
Kaen, Naida  
Pitre, Joseph  
Stevens, Audrey

Bickford, David  
Cilley, Jacalyn  
Hannon, Joseph  
Smith, Marjorie  
Rollo, Deanna  
Treleven, Susan

Bixby, Peter  
DiSesa, Len  
Horrigan, Timothy  
Mullen, John  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 92****BELKNAP**

Howard, Raymond	Hurt, George	Spanos, Peter	Fraser, Valerie
Varney, Peter			

**CARROLL**

Avellani, Lino	Buco, Thomas	Cordelli, Glenn	McCarthy, Frank
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**CHESHIRE**

Tilton, Benjamin	Chase, Cynthia	McConnell, James	Phillips, Larry
Sterling, Franklin			

**COOS**

Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Brown, Duane	Hennessey, Erin	Johnson, Eric
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**HILLSBOROUGH**

Adams, Christopher	Griffin, Barbara	Boehm, Ralph	Booras, Efstathia
Byron, Frank	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Hogan, Edith	Hopper, Gary	Infantine, William
Christiansen, Lars	Manley, Jonathan	McClarren, Donald	Moore, Josh
McCarthy, Peggy	Pellegrino, Anthony	Peterson, Ken	Proulx, Mark
Christie, Rick	Rouillard, Claire	Sanborn, Laurie	Seidel, Carl
Souza, Kathleen	Straight, Phillip	Twombly, Timothy	Sullivan, Victoria
Zaricki, Nick			

**MERRIMACK**

Turcotte, Alan	Long, Douglas	Hess, David	Hill, Gregory
Horn, Werner	Kuch, Bill	Martin, John	Walsh, Thomas

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bates, David	Cardon, G. Thomas
Chirichiello, Brian	Thomas, Douglas	DeSimone, Debra	Duarte, Joe
Rice, Frederick	Ferrante, Beverly	Friel, William	Gannon, William
Green, Dennis	Guthrie, Joseph	Itse, Daniel	Kolodziej, Walter
Manning, John	McKinney, Betsy	Nigrello, Robert	O'Connor, John
Peckham, Michele	Prudhomme-O'Brien, Katherine	Gordon, Richard	True, Chris
Tucker, Pamela	Webb, James		

**STRAFFORD**

DeLemus, Susan	Graham, Robert	Groen, Warren	Jones, Laura
Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don	Wuelper, Kurt

**SULLIVAN**

Laware, Thomas	Rollins, Skip
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and the committee report was adopted and ordered to third reading.

**HB 1261**, relative to multiple indictments in criminal prosecutions. **INEXPEDIENT TO LEGISLATE.** Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill would have prevented a grand jury from issuing more than one indictment per criminal act. Current practice allows the grand jury to return an indictment for the crime and an additional indictment for a lesser included offense, thus allowing the jury at the time of trial the option of finding the suspect guilty of the lesser crime rather than the major crime. The committee felt that removing that option would eliminate the ability of the jury to reach a just verdict and is not in accordance with the intent of the justice system. Vote 16-1. Rep. Tholl spoke in favor.

Rep. Abramson spoke against and requested a roll call; not sufficiently seconded.

On a division vote, with 287 members having voted in the affirmative, and 36 in the negative, the committee report was adopted.



**HB 1318**, relative to sex offender registration. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill changes the circumstances and criteria under which certain sex offenders may petition to have their name removed from the sex offender registry public list and be relieved from the requirement of continued registration. The bill attempts to correct the constitutional violations brought to light in the New Hampshire Supreme Court opinion of John Doe v. State of New Hampshire issued February 12, 2015. In 1987, John Doe pleaded guilty to two counts of aggravated felonious sexual assault. He was sentenced to two and a half to five years' imprisonment, which was deferred for two years. He was placed on probation for four years. As part of his sentence, he was required to attend sex counseling, which he did weekly for two years. In August 1990, his probation was terminated. On January 1, 1993, he became subject to registration as a sex offender. Sometime after 2006 he sought a declaratory judgment in superior court that RSA chapter 651-B is unconstitutional as applied to him because it violates the prohibition against retrospective laws and the Due Process Clause of the New Hampshire Constitution. The trial court ruled the act did not violate the Ex Post Facto Clause because the legislature intended the act to be regulatory, and any punitive effects of the act did not override this regulatory purpose by the clearest proof. The court also stated that it could not find the act had a punitive effect because the state's laws are presumed constitutional. This led to an appeal the New Hampshire Supreme Court. Quoting from the judgment: "In summary, our analysis leads us to conclude that RSA chapter 651-B has a punitive effect as applied to the petitioner. We recognize the important interests that the legislature seeks to further with this statute, but in our view, the punitive effect of the current act is enough to overcome any non-punitive legislative intent as to this petitioner. Absent the lifetime-registration-without-review provision, we would not find the other effects of the act sufficiently punitive to overcome the presumption of its constitutionality. Accordingly, to prevent an untoward result that would substantially undermine the act's public protection goals, we conclude that the act can be enforced against the petitioner consistently with the constitutional probation against retrospective laws only if he is promptly given as opportunity for either a court hearing, or an administrative hearing subject to judicial review, at which he is permitted to demonstrate that he no longer poses a risk sufficient to justify continued registration. If the hearing results in a finding that he has made the required showing that he is not a danger to the public he must be relieved from the requirements of registration. If after such a hearing, it is determined that he has not made the required showing, he must continue to comply with the act, but thereafter he must be afforded periodic opportunities for further hearings, at reasonable intervals, to revisit whether registration continues to be necessary." This bill seeks to resolve the constitutional issues with the law. Vote 13-2.

**Amendment (0819h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6 to read as follows:

651-B:6 Duration of Registration.

I. *Subject to the provisions of paragraph IV*, all tier II or tier III offenders shall be registered for life.

II. All tier I offenders shall be registered for a 10-year period from the date of release, provided that any such registration period shall not run concurrently with any registration period resulting from a subsequent violation or attempted violation of an offense for which the person is required to register.

III.(a)(1) ~~All tier III offenders shall remain on the public list contained in RSA 651-B:7 for life.~~

(2) A tier II or tier III offender may petition the superior court to have his or her name and information removed from the public list. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence and in no case earlier than 15 years after the date of release. The petition shall be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense. The court may grant the petition *only* if the offender is *not under arrest or indictment for*, or has not been convicted of, any ~~[felony, class A misdemeanor,]~~ sex offense[;] or offense against a child, has successfully completed any periods of supervised release, probation, or parole, and has successfully completed an appropriate sex offender treatment program as determined by the court. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.

[(3)] (b) A tier I offender may petition the superior court to have his or her name and other information removed from the public list. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence and in no case earlier than 5 years after the date of release. The petition shall be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense. The court may grant the petition *only* if the offender is *not under arrest or indictment for*, or has not been convicted of, any [felony, class A misdemeanor,] sexual offense[;] or offense against a child, has successfully completed any periods of supervised release, probation, or parole, and has successfully completed an appropriate sex offender treatment program as determined by the court.

~~[(b) Prior to granting any petition to remove an offender from the public list, the court shall provide notice to the county attorney who prosecuted the case, the victim advocate, and the victim or victim's family, and permit those parties to be heard on the petition. Prior to any decision granting the application, the court shall provide the victim with the opportunity to address the court. The victim may appear personally, or by counsel, or may provide a written statement to reasonably express his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim pursuant to this section when making a decision regarding the application. The judge shall grant the application, after a hearing, only where, in the opinion of the court, removal from the registration requirements will assist the individual in the individual's rehabilitation and will be consistent with the public welfare.]~~

*IV. A tier II or tier III offender may petition the superior court during his or her month of birth to be relieved from the registration requirements under this chapter. The petition shall include the petitioner's current address and information about each conviction for which he or she is required to register, including the nature of the offense, the sentence imposed, and the court and the jurisdiction in which the petitioner was convicted. The petition shall be accompanied by a certified copy of the petitioner's criminal history record from each jurisdiction in which he or she is required to register. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence, including any supervision, and in no case earlier than 15 years after the date of release from a tier II offender's most recent conviction that required registration, and in the case of a tier III offender no earlier than 25 years after the date of release from the tier III offender's most recent conviction that required registration. The petition shall be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense, which indicates that the offender is not a danger to the public and no longer poses a risk sufficient to justify continued registration. The court may grant the petition only if the petitioner is not under arrest or indictment for, or has been convicted of, any sex offense or offense against a child since the most recent qualifying conviction requiring registration, has successfully completed any period of supervised release, probation, or parole, has successfully completed an appropriate sex offender treatment program as determined by the court, has demonstrated compliance with registration requirements for 15 years, and he or she is no longer a danger to the public and no longer poses a risk sufficient to justify continued registration. The petition shall be filed in the county where the most recent predicate conviction occurred, except if the most recent conviction occurred in another state or jurisdiction, the petition shall be filed in the county where the petitioner resides. If the court denies the petition, the petitioner shall not file another petition under this section for 5 years from the date of the court's denial. Such petition shall not be filed or addressed as part of a criminal case.*

*V.(a) Prior to granting any petition to remove an offender from the public list, the court shall provide notice to the county attorney who prosecuted the case, the victim advocate, and the victim or victim's family, and permit those parties to be heard on the petition. Prior to any decision granting the petition, the court shall provide the victim with the opportunity to address the court. The victim may appear personally, or through a representative, or may provide a written statement to reasonably express his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim pursuant to this section when making a decision regarding the petition. The judge shall grant the petition, after a hearing, only where, in the opinion of the court, removal from the public list will assist the individual in the individual's rehabilitation and will be consistent with the public welfare.*

*(b) Prior to granting any petition to relieve an offender from the registration requirements under this chapter, the court shall hold a hearing on the petition. The court shall provide notice of the hearing at least 60 days prior to the hearing to the county attorney who prosecuted the most recent offense requiring registration, the victim advocate, the victim or victim's family, the department of safety sex offender unit, and the department of corrections, and shall permit those parties to be heard on the petition. If the most recent conviction requiring registration is an out of state conviction, notice shall be given to the county attorney in the county where the offender is currently residing. Prior to any decision granting the petition, the court shall provide the victim or victim's family with the opportunity to address the court. The victim or victim's family may appear personally, or through a representative, or may provide a written statement to reasonably express his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim or victim's family pursuant to this section when rendering a decision regarding the petition. The judge shall grant the petition, after a hearing, only where, in the opinion of the court, the petitioner has proven by clear and convincing evidence that he or she no longer poses a risk sufficient to justify continued registration and is not a danger to the public.*

**[FV.] VI.** *Any offender who was convicted before January 1, 1994, and who has fully served all aspects of his or her sentence and has not re-offended may petition the superior court to be relieved from the requirements of registration. The petition shall be subject to the requirements of paragraph IV, except that the offender shall not be required to wait the 15 or 25 years, or for the month of his or her birth. The hearing shall be held in accordance with the requirements of subparagraph V(b). The offender shall pay the costs of the legal service in connection with hearing. The petitioner shall have the right to counsel. If the court denies the petition, the offender shall not file another petition under this section for 5 years from the date of the court's denial.*

**VII.** Registration of any juvenile required to register pursuant to RSA 651-B:1, XI(a)(3) or (4) shall end when the juvenile turns 17 years of age unless the court which adjudicated the juvenile as a delinquent retains jurisdiction over the juvenile pursuant to RSA 169-B:4, V, in which case registration of the juvenile shall end when the court terminates jurisdiction over the juvenile's case. When the registration of a juvenile terminates, the department shall remove information relating to the juvenile from the SOR system and records of the juvenile's registration shall be handled in accordance with RSA 169-B:35 and RSA 169-B:36.

2 Registration of Criminal Offenders; Hearing. Amend RSA 651-B:10, I to read as follows:

I. Any offender required to register for an offense committed in another state, country, territory, or tribal territory, or under federal law that is determined to be a reasonably equivalent offense to an offense listed in RSA 651-B:1, V(a) or RSA 651-B:1, VII(a) or (b) may appeal that determination to the commissioner. The offender shall, within 10 days of notification, request a hearing on the matter before the commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. ~~The offender~~ **Either party** shall have the right to appeal the commissioner's decision in superior court.

3 Effective Date. This act shall take effect 60 days after its passage.

### MOTION TO LAY ON THE TABLE

Rep. Tholl moved that **HB 1318**, relative to sex offender registration, be laid on the table.  
Motion adopted.

### REGULAR CALENDAR PART III CONT'D

**HB 1610-FN**, legalizing the possession and cultivation of marijuana for personal use. **INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill would have legalized possession of marijuana for persons over the age of 21 and legalized the cultivation of up to 6 plants by individuals, of which 3 could be adult plants which could produce up to 3 pounds. The committee heard testimony from many sources, including the proponents of legalization, that marijuana is not a harmless drug. The majority of the committee felt that legalizing marijuana and allowing the cultivation of up to 6 plants would not prevent persons under the age of 21 in obtaining the drug from either legal or illicit means. The committee felt that in light of the ongoing opioid crisis and the information given to the task force about how a young man went from marijuana use to prescription drugs and on to heroin addiction, that now is not the time to legalize a drug that is illegal under federal statutes. Vote 9-4.

**MOTION TO LAY ON THE TABLE**

Rep. Tholl moved that **HB 1610-FN**, legalizing the possession and cultivation of marijuana for personal use, be laid on the table.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 229 NAYS 119**

**YEAS - 229****BELKNAP**

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Hurt, George  
Varney, Peter

Fields, Dennis  
LeBreche, Shari

Flanders, Donald  
Russell, David

**CARROLL**

Buco, Thomas  
McCarthy, Frank  
Umberger, Karen

Chandler, Gene  
McConkey, Mark

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Emerson, Susan  
Parkhurst, Henry  
Sterling, Franklin

Ames, Richard  
Hunt, John  
Pearson, William  
Tatro, Bruce

Tilton, Benjamin  
Roberts, Kris  
Sad, Tara  
Weber, Lucy

Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Richardson, Herbert

Frobург, Alethea  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

Rappaport, Laurence  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Johnson, Eric  
Brown, Rebecca

Cooney, Mary  
Ford, Susan  
Smith, Suzanne

Brown, Duane  
Higgins, Patricia  
Sykes, George

Hennessey, Erin  
Maes, Kevin  
Townsend, Charles

**HILLSBOROUGH**

Griffin, Barbara  
Barry, Richard  
Christensen, Chris  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Gould, Linda  
Hansen, Peter  
Hogan, Edith  
Jeudy, Jean  
Leishman, Peter  
Marston, Dick  
Ohm, Bill  
Palmer, Barry  
Porter, Marjorie  
Rosenwald, Cindy  
Snow, Kendall  
Twombly, Timothy

Backus, Robert  
Biggie, Barbara  
Roberts, Carol  
Sullivan, Daniel  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Harvey, Suzanne  
Infantine, William  
Kurk, Neal  
O'Brien, Michael  
McClarren, Donald  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Souza, Kathleen  
Williams, Kermit

Balcom, John  
Boehm, Ralph  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Gonzalez, Carlos  
Halstead, Carolyn  
Heath, Mary  
Belanger, James  
Ober, Lynne  
Mangipudi, Latha  
Moore, Josh  
Long, Patrick  
Peterson, Ken  
Ober, Russell  
Seidel, Carl  
Straight, Phillip  
Wolf, Terry

Baroody, Benjamin  
Byron, Frank  
Cornell, Patricia  
Donovan, Daniel  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
Jack, Martin  
LeBrun, Donald  
Manley, Jonathan  
O'Neil, William  
McCarthy, Peggy  
Pierce, David  
Walsh, Robert  
Shattuck, Gilman  
Takesian, Charlene  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Rice, Chip  
Hill, Gregory  
Kidder, David

French, Barbara  
Doherty, David  
Horn, Werner  
Kotowski, Frank

Bartlett, Christy  
Ebel, Karen  
Karrick, David  
Luneau, David

Bradley, Paula  
Henle, Paul  
Kenison, Linda  
MacKay, James

Marple, Richard  
Schuett, Dianne  
Wheeler, Deborah

Moffett, Howard  
Shurtleff, Stephen

Myler, Mel  
Walsh, Thomas

Patten, Dick  
Wallner, Mary Jane

## ROCKINGHAM

Christie, Andrew  
Barnes, Arthur  
Cardon, G. Thomas  
DeSimone, Debra  
Chase, Francis  
Francesse, Paula  
Harris, Jeffrey  
Ward, Joanne  
Lovejoy, Patricia  
Matthews, Carolyn  
O'Connor, John  
Peckham, Michele  
Sherman, Thomas  
Webb, James

Abrami, Patrick  
Berrien, Skip  
Chirichiello, Brian  
Devine, James  
Rice, Frederick  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Griffin, Mary  
McBeath, Rebecca  
Gordon, Pamela  
Potucek, John  
Simpson, Alexis  
Welch, David

Allen, Mary  
Bush, Carol  
Cook, Allen  
Duarte, Joe  
Ferrante, Beverly  
Guthrie, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Major, Norman  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
Sytek, John  
Weyler, Kenneth

Azarian, Gary  
Cahill, Michael  
Thomas, Douglas  
Elliott, Robert  
Fesh, Robert  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
Manning, John  
McMahon, Charles  
Pantelakos, Laura  
Tilton, Rio  
Tucker, Pamela  
Woitkun, Steven

## STRAFFORD

Baber, William  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale

Burton, Wayne  
Turcotte, Leonard  
Pitre, Joseph  
Stevens, Audrey

Cheney, Catherine  
Leeman, Don  
Rollo, Deanna  
Treleven, Susan

Gray, James  
Mullen, John  
Southworth, Thomas  
Wall, Janet

## SULLIVAN

Cloutier, John  
O'Hearne, Andrew

Gagnon, Raymond  
Smith, Steven

Gottling, Suzanne

Grenier, James

## NAYS - 119

### BELKNAP

Aldrich, Glen  
Fraser, Valerie

Fisher, Robert  
Vadney, Herbert

Howard, Raymond

Sylvia, Michael

### CARROLL

Avellani, Lino

Butler, Edward

Comeau, Ed

Ticehurst, Susan

## CHESHIRE

Berch, Paul  
Ley, Douglas

Bordenet, John  
McConnell, James

Eaton, Daniel  
Phillips, Larry

Johnsen, Gladys  
Robertson, Timothy

## COOS

Rideout, Leon

## GRAFTON

Abel, Richard  
Gionet, Edmond  
Nordgren, Sharon

Bailey, Brad  
Hull, Robert

Bennett, Travis  
Ingbreton, Paul

Darrow, Stephen  
Massimilla, Linda

## HILLSBOROUGH

Adams, Christopher  
Burt, John  
Edelblut, Frank  
Guerette, C. Lee  
Christiansen, Lars  
Murotake, David  
Christie, Rick  
Simmons, Tammy  
Zaricki, Nick

Ammon, Keith  
Coffey, James  
Edwards, Elizabeth  
Herbert, Christopher  
Lachance, Joseph  
Murphy, Keith  
Rouillard, Claire  
Ulery, Jordan

Beaulieu, Jane  
Danielson, David  
Estevez, Eric  
Rice, Kimberly  
McLean, Mark  
Notter, Jeanine  
Schleien, Eric  
Sullivan, Victoria

Bouldin, Amanda  
Eastman, Eric  
Ferreira, Elizabeth  
Katsiantonis, Thomas  
McNamara, Richard  
Parison, James  
Scontsas, Lisa  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta	Brewster, Michael	McGuire, Carol	Carson, Clyde
Long, Douglas	McGuire, Dan	Deloge, Helen	French, Harold
Hoell, J.R.	Kuch, Bill	Martin, John	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Seaworth, Brian	

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Cali-Pitts, Jacqueline
Cushing, Robert	Dean-Bailey, Yvonne	DiFranco, Debbie	Edgar, Michael
Emerick, J. Tracy	Friel, William	Ward, Gerald	Green, Dennis
Heffron, Frank	Itse, Daniel	Sweeney, Joe	Nigrello, Robert
Osborne, Jason	Prudhomme-O'Brien, Katherine	Schroadter, Adam	Spillane, James
True, Chris	Vose, Michael		

**STRAFFORD**

Bickford, David	Bixby, Peter	Cilley, Jacalyn	DeLemus, Susan
Gardner, Janice	Graham, Robert	Groen, Warren	Hannon, Joseph
Jones, Laura	Ward, Kenneth	Kaczynski, Thomas	Kaen, Naida
Smith, Marjorie	Spang, Judith	Wuelper, Kurt	

**SULLIVAN**

Schmidt, Andrew	Converse, Larry	Irwin, Virginia	Laware, Thomas
Oxenham, Lee	Rollins, Skip		

and the motion was adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1414**, repealing the home education advisory council. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for Education. This bill repeals the Home Education Advisory Council (HEAC). This council is needed and wanted by the majority of home school parents. It is the buffer between the State Board of Education and home schoolers. A statement from some home school parents made several years ago when another bill tried to do the same thing indicated that the HEAC is the only protection they have. The council also exists to advise parents who wish to home school as to the state laws, and if needed, recommend laws. There are two Representatives and one Senator on the HEAC as non-voting members. The HEAC also gives feedback to the State Board of Education on any proposed rules dealing with home education. This bill, if passed, will seriously affect home schooling in New Hampshire. Vote 19-1.

Rep. Boehm spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

**YEAS 273 NAYS 71****YEAS - 273****BELKNAP**

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Hurt, George	LeBreche, Shari	Russell, David
Spanos, Peter	Vadney, Herbert		

**CARROLL**

Avellani, Lino	Buco, Thomas	Butler, Edward	Comeau, Ed
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Ley, Douglas

Mann, John  
Robertson, Timothy  
Tatro, Bruce

Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Pearson, William  
Shepardson, Marjorie

Phillips, Larry  
Sterling, Franklin

### COOS

Fothergill, John  
Rappaport, Laurence  
Thomas, Yvonne

Frobург, Alethea  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

### GRAFTON

Abel, Richard  
Cooney, Mary  
Gionet, Edmond  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Hennessey, Erin  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Bailey, Brad  
Johnson, Eric  
Ingbretson, Paul  
Brown, Rebecca

Bennett, Travis  
Ford, Susan  
Maes, Kevin  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Beaulieu, Jane  
Byron, Frank  
Cohen, Alan  
Danielson, David  
Forest, Armand  
Goley, Jeffrey  
Guerette, C. Lee  
Harvey, Suzanne  
Hogan, Edith  
Rice, Kimberly  
Ober, Lynne  
Manley, Jonathan  
McNamara, Richard  
Long, Patrick  
Peterson, Ken  
Ober, Russell  
Rowe, Robert  
Shattuck, Gilman  
Takesian, Charlene  
Wolf, Terry

Balcom, John  
Biggie, Barbara  
Christensen, Chris  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Gonzalez, Carlos  
Haefner, Robert  
Heath, Mary  
Belanger, James  
Katsiantonis, Thomas  
LeBrun, Donald  
Marston, Dick  
O'Neil, William  
McCarthy, Peggy  
Pierce, David  
Walsh, Robert  
Sanborn, Laurie  
Simmons, Tammy  
Ulery, Jordan  
Woodbury, David

Baroody, Benjamin  
Boehm, Ralph  
Roberts, Carol  
Cote, David  
Donovan, Daniel  
Gagne, Larry  
Gorman, Mary  
Halstead, Carolyn  
Herbert, Christopher  
Jack, Martin  
Kurk, Neal  
Leishman, Peter  
McClarren, Donald  
Ohm, Bill  
Palmer, Barry  
Porter, Marjorie  
Rosenwald, Cindy  
Scontsas, Lisa  
Snow, Kendall  
Vann, Ivy

Barry, Richard  
Bouldin, Amanda  
Coffey, James  
Sullivan, Daniel  
Flanagan, Jack  
Gargasz, Carolyn  
Gould, Linda  
Hansberry, Daniel  
Hinch, Richard  
Jeudy, Jean  
Christiansen, Lars  
Mangipudi, Latha  
McLean, Mark  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Seidel, Carl  
Straight, Phillip  
Williams, Kermit

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Deloge, Helen  
French, Harold  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Doherty, David  
Henle, Paul  
Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Shurtleff, Stephen

French, Barbara  
Carson, Clyde  
Ebel, Karen  
Hess, David  
Kuch, Bill  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

Bartlett, Christy  
Long, Douglas  
Gile, Mary  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Hoelzel, Kathleen

Allen, Mary  
Cahill, Michael  
Cook, Allen  
DeSimone, Debra  
Elliott, Robert  
Fesh, Robert  
Hagan, Joseph  
Introne, Robert

Azarian, Gary  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Devine, James  
Chase, Francis  
Francese, Paula  
Harris, Jeffrey  
Sweeney, Joe

Bates, David  
Cardon, G. Thomas  
Thomas, Douglas  
DiFranco, Debbie  
Rice, Frederick  
Friel, William  
Heffron, Frank  
Katsakiores, Phyllis

Kolodziej, Walter  
Manning, John  
McMahon, Charles  
Packard, Sherman  
Sherman, Thomas  
Weyler, Kenneth

Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Simpson, Alexis  
Woitkun, Steven

Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Peckham, Michele  
Sytek, John

Major, Norman  
McKinney, Betsy  
Gordon, Pamela  
Potucek, John  
Welch, David

### STRAFFORD

Baber, William  
Cheney, Catherine  
Horrigan, Timothy  
Smith, Marjorie  
Southworth, Thomas  
Treleaven, Susan

Bickford, David  
Cilley, Jacalyn  
Ward, Kenneth  
Mullen, John  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Schmidt, Peter  
Sprague, Dale

Burton, Wayne  
Gray, James  
Leeman, Don  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
O'Hearne, Andrew

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

### NAYS - 71

### BELKNAP

Aldrich, Glen  
Fraser, Valerie

Fisher, Robert  
Varney, Peter

Howard, Raymond

Sylvia, Michael

### CHESHIRE

McConnell, James

### COOS

Rideout, Leon

### GRAFTON

Brown, Duane

Darrow, Stephen

Hull, Robert

### HILLSBOROUGH

Adams, Christopher  
Eastman, Eric  
Hansen, Peter  
Murphy, Keith  
Schleien, Eric  
Zaricki, Nick

Ammon, Keith  
Edelblut, Frank  
Lachance, Joseph  
Notter, Jeanine  
Souza, Kathleen

Griffin, Barbara  
Estevez, Eric  
Moore, Josh  
Parison, James  
Twombly, Timothy

Burt, John  
Ferreira, Elizabeth  
Murotake, David  
Christie, Rick  
Sullivan, Victoria

### MERRIMACK

Brewster, Michael  
Hoell, J.R.

McGuire, Carol  
Horn, Werner

McGuire, Dan  
Martin, John

Hill, Gregory  
Seaworth, Brian

### ROCKINGHAM

Christie, Andrew  
Bush, Carol  
Green, Dennis  
Ward, Joanne  
Gordon, Richard  
Tucker, Pamela

Abramson, Max  
Duarte, Joe  
Guthrie, Joseph  
Kappler, Lawrence  
Schroadter, Adam  
Vose, Michael

Baldasaro, Alfred  
Emerick, J. Tracy  
Hodgdon, Bruce  
Osborne, Jason  
Spillane, James

Barnes, Arthur  
Gannon, William  
Itse, Daniel  
Prudhomme-O'Brien, Katherine  
True, Chris

### STRAFFORD

Graham, Robert  
Kaczynski, Thomas

Groen, Warren  
Turcotte, Leonard

Hannon, Joseph  
Pitre, Joseph

Jones, Laura  
Wuelper, Kurt

### SULLIVAN

Rollins, Skip  
and the committee report was adopted.



**HB 1497**, relative to the limits on disclosure of information used on college entrance exams. **OUGHT TO PASS.**

Rep. Glenn Cordelli for Education. Since the SAT or ACT can now be used as the statewide assessment in high school, this bill incorporates them into our privacy statutes. In addition, it adds an opt-out provision to have personal information destroyed by the SAT or ACT testing entity. Vote 19-0. Committee report adopted and ordered to third reading.

**HB 1143**, relative to showing a ballot. **INEXPEDIENT TO LEGISLATE.**

Rep. William Gannon for Election Law. This bill would repeal the prohibition on a voter taking a digital image of his or her marked ballot. A US District Court order on this issue is currently being appealed. The majority believes that this legislation should not be adopted. We believe in the sanctity of the secret ballot. In early NH history, there was often coercion at the voting booth. We want the voter to feel free from all intimidation and outside pressures when casting a ballot. Voting is one of the most fundamental rights and its sanctity should be defended at all costs. Vote 17-0.

Rep. Rideout spoke against.

The Speaker ruled the debate by Rep. Rideout out of order.

**APPEAL OF THE RULING OF THE CHAIR**

Rep. Rideout challenged the ruling of the Chair on the ruling that debate was out of order.

The question being shall the ruling of the Chair be upheld?

Ruling of the Chair upheld.

The question now being adoption of the committee report of Inexpedient to Legislate.

Rep. Gannon spoke in favor.

**MOTION TO LAY ON THE TABLE**

Rep. Hoelzel moved that **HB 1143**, relative to showing a ballot, be laid on the table.

Rep. Rideout requested a roll call; sufficiently seconded.

**YEAS 221    NAYS 119**

**YEAS - 221**

**BELKNAP**

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Gallagher, Brian
LeBreche, Shari	Russell, David	Spanos, Peter	

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Schmidt, Stephen	Umberger, Karen

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Ley, Douglas
Mann, John	McConnell, James	Parkhurst, Henry	Pearson, William
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

**COOS**

Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	

**GRAFTON**

Bailey, Brad	Bennett, Travis	Brown, Duane	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne	Sykes, George
Townsend, Charles			

**HILLSBOROUGH**

Griffin, Barbara  
 Barry, Richard  
 Cohen, Alan  
 Danielson, David  
 Forest, Armand  
 Gonzalez, Carlos  
 Hansen, Peter  
 Hopper, Gary  
 Christiansen, Lars  
 O'Brien, Michael  
 McNamara, Richard  
 McCarthy, Peggy  
 Proulx, Mark  
 Rowe, Robert  
 Twombly, Timothy

Backus, Robert  
 Beau lieu, Jane  
 Cornell, Patricia  
 DiSilvestro, Linda  
 Freitas, Mary  
 Gorman, Mary  
 Harvey, Suzanne  
 Belanger, James  
 Ober, Lynne  
 Mangipudi, Latha  
 O'Neil, William  
 Pellegrino, Anthony  
 Ober, Russell  
 Snow, Kendall  
 Williams, Kermit

Balcom, John  
 Christensen, Chris  
 Cote, David  
 Donovan, Daniel  
 Gargasz, Carolyn  
 Haefner, Robert  
 Heath, Mary  
 Jeudy, Jean  
 LeBrun, Donald  
 Manley, Jonathan  
 Brown, Pamela  
 Pierce, David  
 Walsh, Robert  
 Straight, Phillip  
 Woodbury, David

Baroody, Benjamin  
 Roberts, Carol  
 Sullivan, Daniel  
 Estevez, Eric  
 Goley, Jeffrey  
 Hansberry, Daniel  
 Hinch, Richard  
 Kurk, Neal  
 Leishman, Peter  
 Marston, Dick  
 Long, Patrick  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Takesian, Charlene

**MERRIMACK**

Turcotte, Alan  
 Rice, Chip  
 Henle, Paul  
 Kenison, Linda  
 MacKay, James  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Alicea, Caroletta  
 Deloge, Helen  
 Hess, David  
 Kotowski, Frank  
 Marple, Richard  
 Patten, Dick  
 Schuett, Dianne  
 Wheeler, Deborah

French, Barbara  
 Doherty, David  
 Horn, Werner  
 Kuch, Bill  
 Martin, John  
 Ratzki, Mario  
 Shurtleff, Stephen

Bradley, Paula  
 Ebel, Karen  
 Karrick, David  
 Luneau, David  
 Moffett, Howard  
 Rogers, Katherine  
 Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
 Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Devine, James  
 Rice, Frederick  
 Ward, Gerald  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 Matthews, Carolyn  
 Nigrello, Robert  
 Pantelakos, Laura  
 Sytek, John  
 Woitkun, Steven

Abrami, Patrick  
 Berrien, Skip  
 Chirichiello, Brian  
 DiFranco, Debbie  
 Fesh, Robert  
 Gannon, William  
 Introne, Robert  
 Griffin, Mary  
 McBeath, Rebecca  
 O'Connor, John  
 Peckham, Michele  
 Webb, James

Allen, Mary  
 Bush, Carol  
 Cushing, Robert  
 Elliott, Robert  
 Francesse, Paula  
 Guthrie, Joseph  
 Sweeney, Joe  
 Major, Norman  
 McKinney, Betsy  
 Gordon, Pamela  
 Sherman, Thomas  
 Welch, David

Azarian, Gary  
 Cahill, Michael  
 DeSimone, Debra  
 Chase, Francis  
 Friel, William  
 Hagan, Joseph  
 Katsakiores, Phyllis  
 Manning, John  
 McMahon, Charles  
 Packard, Sherman  
 Simpson, Alexis  
 Weyler, Kenneth

**STRAFFORD**

Baber, William  
 Cheney, Catherine  
 Ward, Kenneth  
 Mullen, John  
 Stevens, Audrey

Bickford, David  
 Cilley, Jacalyn  
 Kaen, Naida  
 Schmidt, Peter  
 Wall, Janet

Bixby, Peter  
 Gray, James  
 Leeman, Don  
 Rollo, Deanna

Burton, Wayne  
 Horrigan, Timothy  
 Smith, Marjorie  
 Spang, Judith

**SULLIVAN**

Schmidt, Andrew  
 Grenier, James  
 Smith, Steven

Cloutier, John  
 Irwin, Virginia

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Oxenham, Lee

**NAYS - 119****BELKNAP**

Aldrich, Glen  
 Hurt, George  
 Varney, Peter

Fisher, Robert  
 Sylvia, Michael

Flanders, Donald  
 Fraser, Valerie

Howard, Raymond  
 Vadney, Herbert

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Ticehurst, Susan
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**CHESHIRE**

Robertson, Timothy

**COOS**

Froburg, Alethea	Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Abel, Richard	Almy, Susan	Cooney, Mary	Hennessey, Erin
Johnson, Eric	Hull, Robert		

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Coffey, James	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth	Gagne, Larry
Gould, Linda	Hogan, Edith	Infantine, William	Jack, Martin
Rice, Kimberly	Katsiantonis, Thomas	Lachance, Joseph	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Parison, James	Peterson, Ken
Christie, Rick	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Souza, Kathleen
Ulery, Jordan	Sullivan, Victoria	Vann, Ivy	Wolf, Terry
Zaricki, Nick			

**MERRIMACK**

Bartlett, Christy	Brewster, Michael	McGuire, Carol	Carson, Clyde
Long, Douglas	McGuire, Dan	Gile, Mary	French, Harold
Hill, Gregory	Hoell, J.R.	Seaworth, Brian	

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Cardon, G. Thomas
Cook, Allen	Thomas, Douglas	Dean-Bailey, Yvonne	Duarte, Joe
Edgar, Michael	Emerick, J. Tracy	Ferrante, Beverly	Green, Dennis
Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce	Itse, Daniel
Ward, Joanne	Kappler, Lawrence	Lovejoy, Patricia	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Gordon, Richard	Tilton, Rio
Schroadter, Adam	Spillane, James	True, Chris	Tucker, Pamela
Vose, Michael			

**STRAFFORD**

DeLemus, Susan	Gardner, Janice	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard
Pitre, Joseph	Southworth, Thomas	Treleaven, Susan	Wuelper, Kurt

**SULLIVAN**

Converse, Larry	Laware, Thomas	Rollins, Skip
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and the motion was adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1144-L, relative to notice for sessions of correction of the check list. OUGHT TO PASS WITH AMENDMENT.**

Rep. Kathleen Souza for Election Law. This bill, as amended, removes an obsolete notice requirement for meetings of Supervisors of the Checklist to register voters and makes the notice language consistent with RSA 91-A, the Right to Know law. This bill changes the newspaper notification from mandatory to optional. Testimony showed that citizens do not rely on small notices in the newspaper, that the meetings are well noticed by other means, and that recent changes in the law allow citizens to register to vote, make changes, etc., with the Town or City Clerk at any time throughout the year, at their convenience. This bill provides for notice to be given on the town or city's website, if such exists, or in a newspaper, plus at least one other appropriate location. Vote 19-0.

**Amendment (0212h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Correction of Checklist; Notice. Amend RSA 654:27 to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on the Saturday 10 days prior to the election and upon which all hearings shall be finally closed; provided that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted ***in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or [and] shall be [published] printed*** in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall ~~[advertise]~~ ***post*** notice of their sessions ***in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or printed*** at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his ***or her*** party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall ~~[advertise and]~~ ***post*** notice of their sessions ***in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or published*** at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his ***or her*** party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

4 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill modifies requirements for notice of sessions for the correction or verification of the checklist. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Bates offered floor amendment (0403h).

**Floor Amendment (0403h)**

Amend the bill by replacing sections 2 and 3 with the following:

2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall ~~[advertise]~~ ***post*** notice of their sessions ***in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and printed*** at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his ***or her*** party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall ~~[advertise and]~~ ***post*** notice of their sessions ***in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and published*** at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his ***or her*** party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

Rep. Bates spoke in favor.  
Rep. Gray spoke against.  
On a division vote, with 271 members having voted in the affirmative, and 71 in the negative, floor amendment (0403h) was adopted.  
Committee report adopted and ordered to third reading.

**HB 1661-FN**, relative to conversion therapy seeking to change a person’s sexual orientation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill as amended prohibits licensed counselors to engage in conversion therapy with a person under 18 years of age. It also allows unlicensed counselors to be sued over conversion therapy. The committee heard overwhelming testimony as to the harms of conversion therapy and no evidence that it is even effective. Vote 17-0.

**Amendment (0067h)**

Amend the introductory paragraph of RSA 332-L:3, I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Advertise for the provision of conversion therapy for monetary compensation in exchange for such services where such advertising claims:

Amend the bill by deleting RSA 332-L:4 as inserted by section 2 of the bill.

**MOTION TO LIMIT DEBATE**

Reps. Hinch and Shurtleff moved to limit debate on **HB 1661-FN**, relative to conversion therapy seeking to change a person’s sexual orientation, to 15 minutes on each side, including questions.

**MOTION TO LAY ON THE TABLE**

Rep. Ohm moved that **HB 1661-FN**, relative to conversion therapy seeking to change a person’s sexual orientation, be laid on the table.

Rep. Schleien requested a roll call; sufficiently seconded.

**YEAS 167    NAYS 175**

**YEAS - 167**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Flanders, Donald
Gallagher, Brian	Howard, Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Fraser, Valerie

**CARROLL**

Avellani, Lino	Buco, Thomas	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark		

**CHESHIRE**

Tilton, Benjamin	Bordenet, John	Hunt, John	McConnell, James
Parkhurst, Henry	Sterling, Franklin		

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
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**GRAFTON**

Bailey, Brad	Bennett, Travis	Brown, Duane	Darrow, Stephen
Johnson, Eric	Hull, Robert		

**HILLSBOROUGH**

Adams, Christopher	Griffin, Barbara	Balcom, John	Baroody, Benjamin
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Forest, Armand	Gagne, Larry

Gargas, Carolyn  
 Haefner, Robert  
 Infantine, William  
 Christiansen, Lars  
 McClarren, Donald  
 Murphy, Keith  
 Pellegrino, Anthony  
 Ober, Russell  
 Simmons, Tammy  
 Ulery, Jordan

Gonzalez, Carlos  
 Hansen, Peter  
 Judy, Jean  
 Ober, Lynne  
 McLean, Mark  
 Notter, Jeanine  
 Peterson, Ken  
 Sanborn, Laurie  
 Souza, Kathleen  
 Sullivan, Victoria

Gould, Linda  
 Hogan, Edith  
 Katsiantonis, Thomas  
 LeBrun, Donald  
 Moore, Josh  
 Ohm, Bill  
 Proulx, Mark  
 Scontsas, Lisa  
 Straight, Phillip

Guerette, C. Lee  
 Hopper, Gary  
 Kurk, Neal  
 Marston, Dick  
 Murotake, David  
 Parison, James  
 Christie, Rick  
 Seidel, Carl  
 Twombly, Timothy

### MERRIMACK

Brewster, Michael  
 Gile, Mary  
 Horn, Werner  
 Patten, Dick

McGuire, Carol  
 French, Harold  
 Kuch, Bill  
 Ratzki, Mario

Long, Douglas  
 Hill, Gregory  
 Marple, Richard  
 Wheeler, Deborah

McGuire, Dan  
 Hoell, J.R.  
 Martin, John

### ROCKINGHAM

Abrami, Patrick  
 Baldasaro, Alfred  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Friel, William  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Manning, John  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Webb, James

Abramson, Max  
 Barnes, Arthur  
 Cook, Allen  
 Devine, James  
 Chase, Francis  
 Gannon, William  
 Introne, Robert  
 Katsakiores, Phyllis  
 McKinney, Betsy  
 Gordon, Richard  
 True, Chris  
 Welch, David

Allen, Mary  
 Bates, David  
 Thomas, Douglas  
 Duarte, Joe  
 Rice, Frederick  
 Green, Dennis  
 Itse, Daniel  
 Kolodziej, Walter  
 Nigrello, Robert  
 Schroadtter, Adam  
 Tucker, Pamela  
 Weyler, Kenneth

Azarian, Gary  
 Bush, Carol  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Fesh, Robert  
 Hagan, Joseph  
 Ward, Joanne  
 Griffin, Mary  
 Potucek, John  
 Spillane, James  
 Vose, Michael  
 Woitkun, Steven

### STRAFFORD

Bickford, David  
 Graham, Robert  
 Leeman, Don

Cheney, Catherine  
 Groen, Warren  
 Mullen, John

DeLemus, Susan  
 Kaczynski, Thomas  
 Pitre, Joseph

Gardner, Janice  
 Turcotte, Leonard  
 Wuelper, Kurt

### SULLIVAN

Schmidt, Andrew

Gagnon, Raymond

Laware, Thomas

Rollins, Skip

### NAYS - 175

### BELKNAP

Fields, Dennis

Fisher, Robert

Vadney, Herbert

Varney, Peter

### CARROLL

Butler, Edward  
 Ticehurst, Susan

Chandler, Gene  
 Umberger, Karen

Comeau, Ed

Schmidt, Stephen

### CHESHIRE

Abbott, Michael  
 Eaton, Daniel  
 Ley, Douglas  
 Robertson, Timothy

Ames, Richard  
 Emerson, Susan  
 Mann, John  
 Sad, Tara

Berch, Paul  
 Johnsen, Gladys  
 Pearson, William  
 Shepardson, Marjorie

Chase, Cynthia  
 Roberts, Kris  
 Phillips, Larry  
 Weber, Lucy

### COOS

Fothergill, John  
 Theberge, Robert

Froburg, Alethea  
 Tholl, John

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Gionet, Edmond  
Nordgren, Sharon

Cooney, Mary  
Higgins, Patricia  
Smith, Suzanne

Hennessey, Erin  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Ammon, Keith  
Bouldin, Amanda  
Cohen, Alan  
DiSilvestro, Linda  
Gorman, Mary  
Hinch, Richard  
Lachance, Joseph  
Manley, Jonathan  
Long, Patrick  
Walsh, Robert  
Shattuck, Gilman  
Williams, Kermit

Backus, Robert  
Christensen, Chris  
Cornell, Patricia  
Edwards, Elizabeth  
Hansberry, Daniel  
Belanger, James  
Leishman, Peter  
McNamara, Richard  
McCarthy, Peggy  
Rosenwald, Cindy  
Snow, Kendall  
Wolf, Terry

Barry, Richard  
Roberts, Carol  
Cote, David  
Freitas, Mary  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
O'Neil, William  
Pierce, David  
Rouillard, Claire  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Coffey, James  
Sullivan, Daniel  
Goley, Jeffrey  
Heath, Mary  
Rice, Kimberly  
Mangipudi, Latha  
Brown, Pamela  
Porter, Marjorie  
Schleien, Eric  
Vann, Ivy  
Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Doherty, David  
Karrick, David  
MacKay, James  
Saunderson, George  
Walsh, Thomas

Alicea, Caroletta  
Rice, Chip  
Ebel, Karen  
Kenison, Linda  
Moffett, Howard  
Schuett, Dianne  
Wallner, Mary Jane

French, Barbara  
Carson, Clyde  
Henle, Paul  
Kotowski, Frank  
Myler, Mel  
Seaworth, Brian

Bartlett, Christy  
Deloge, Helen  
Hess, David  
Luneau, David  
Rogers, Katherine  
Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
Cardon, G. Thomas  
Ferrante, Beverly  
Harris, Jeffrey  
Lovejoy, Patricia  
McMahon, Charles  
Packard, Sherman  
Sherman, Thomas

Berrien, Skip  
Cushing, Robert  
Francese, Paula  
Heffron, Frank  
Major, Norman  
O'Connor, John  
Pantelakos, Laura  
Simpson, Alexis

Cahill, Michael  
DiFranco, Debbie  
Ward, Gerald  
Hoelzel, Kathleen  
Matthews, Carolyn  
Osborne, Jason  
Peckham, Michele

Cali-Pitts, Jacqueline  
Edgar, Michael  
Guthrie, Joseph  
Sweeney, Joe  
McBeath, Rebecca  
Gordon, Pamela  
Tilton, Rio

**STRAFFORD**

Baber, William  
Gray, James  
Ward, Kenneth  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
Hannon, Joseph  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

Burton, Wayne  
Horrigan, Timothy  
Smith, Marjorie  
Spang, Judith

Cilley, Jacalyn  
Jones, Laura  
Schmidt, Peter  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
and the motion failed.

Converse, Larry  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Smith, Steven

The question now being adoption of the motion to limit debate.

Rep. Hoell moved to amend the motion to allow 45 minutes for each side, including questions. On a division vote, with 61 members having voted in the affirmative, and 280 in the negative, the motion failed.

The question now being adoption of the motion to limit debate to 15 minutes on each side, including questions.

Rep. Chris Christensen moved to amend the motion to running time.  
Rep. Brewster requested a roll call; sufficiently seconded.

**YEAS 213    NAYS 129****YEAS - 213****BELKNAP**

Dumais, Russell  
Flanders, Donald  
LeBreche, Shari

Tilton, Franklin  
Gallagher, Brian  
Russell, David

Fields, Dennis  
Howard, Raymond  
Fraser, Valerie

Fisher, Robert  
Hurt, George  
Varney, Peter

**CARROLL**

Buco, Thomas  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

McCarthy, Frank  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Eaton, Daniel  
Mann, John  
Phillips, Larry  
Sterling, Franklin

Tilton, Benjamin  
Emerson, Susan  
McConnell, James  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Hunt, John  
Parkhurst, Henry  
Sad, Tara

**COOS**

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

Rappaport, Laurence

**GRAFTON**

Abel, Richard  
Brown, Duane  
Maes, Kevin

Bailey, Brad  
Hennessey, Erin  
Smith, Suzanne

Bennett, Travis  
Gionet, Edmond  
Sykes, George

Cooney, Mary  
Higgins, Patricia

**HILLSBOROUGH**

Balcom, John  
Biggie, Barbara  
Roberts, Carol  
Cote, David  
Estevez, Eric  
Gonzalez, Carlos  
Hansen, Peter  
Jack, Martin  
Kurk, Neal  
Leishman, Peter  
McClarren, Donald  
Brown, Pamela  
Peterson, Ken  
Ober, Russell  
Shattuck, Gilman  
Takesian, Charlene

Baroody, Benjamin  
Boehm, Ralph  
Coffey, James  
Danielson, David  
Forest, Armand  
Gorman, Mary  
Harvey, Suzanne  
Judy, Jean  
Christiansen, Lars  
O'Brien, Michael  
McNamara, Richard  
Long, Patrick  
Pierce, David  
Rouillard, Claire  
Simmons, Tammy  
Williams, Kermit

Barry, Richard  
Byron, Frank  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Haefner, Robert  
Heath, Mary  
Rice, Kimberly  
Ober, Lynne  
Mangipudi, Latha  
Murotake, David  
McCarthy, Peggy  
Porter, Marjorie  
Schleien, Eric  
Snow, Kendall  
Wolf, Terry

Beaulieu, Jane  
Christensen, Chris  
Cornell, Patricia  
Donovan, Daniel  
Gargas, Carolyn  
Hansberry, Daniel  
Hinch, Richard  
Katsiantonis, Thomas  
LeBrun, Donald  
Manley, Jonathan  
O'Neil, William  
Pellegrino, Anthony  
Christie, Rick  
Scotsas, Lisa  
Straight, Phillip  
Woodbury, David

**MERRIMACK**

French, Barbara  
Long, Douglas  
Gile, Mary  
Luneau, David  
Moffett, Howard  
Rogers, Katherine

Bartlett, Christy  
Deloge, Helen  
Henle, Paul  
MacKay, James  
Myler, Mel  
Saunderson, George

Bradley, Paula  
Doherty, David  
Hess, David  
Marple, Richard  
Patten, Dick  
Schuett, Dianne

Rice, Chip  
Ebel, Karen  
Kotowski, Frank  
Martin, John  
Ratzki, Mario  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur

Abrami, Patrick  
Bush, Carol

Allen, Mary  
Cardon, G. Thomas

Azarian, Gary  
Chirichiello, Brian



DeSimone, Debra  
Chase, Francis  
Francese, Paula  
Green, Dennis  
Introne, Robert  
Kolodziej, Walter  
Manning, John  
Gordon, Pamela  
Schroadter, Adam  
Welch, David

DiFranco, Debbie  
Rice, Frederick  
Friel, William  
Guthrie, Joseph  
Sweeney, Joe  
Lovejoy, Patricia  
McBeath, Rebecca  
Peckham, Michele  
Sherman, Thomas  
Weyler, Kenneth

Duarte, Joe  
Ferrante, Beverly  
Ward, Gerald  
Hagan, Joseph  
Ward, Joanne  
Griffin, Mary  
McKinney, Betsy  
Potucek, John  
Vose, Michael  
Woitkun, Steven

Elliott, Robert  
Fesh, Robert  
Gannon, William  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Major, Norman  
O'Connor, John  
Tilton, Rio  
Webb, James

### STRAFFORD

Bickford, David  
Gardner, Janice  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Ward, Kenneth  
Pitre, Joseph  
Treleaven, Susan

Burton, Wayne  
Leeman, Don  
Rollo, Deanna

Cheney, Catherine  
Mullen, John  
Southworth, Thomas

### SULLIVAN

Schmidt, Andrew  
Grenier, James

Cloutier, John  
Laware, Thomas

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

### NAYS - 129

#### BELKNAP

Aldrich, Glen

Spanos, Peter

Sylvia, Michael

Vadney, Herbert

#### CARROLL

Avellani, Lino  
Ticehurst, Susan

Butler, Edward

Chandler, Gene

Cordelli, Glenn

### CHESHIRE

Berch, Paul

Johnsen, Gladys

Roberts, Kris

Weber, Lucy

### COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Thomas, Yvonne

### GRAFTON

Almy, Susan  
Hull, Robert

Darrow, Stephen  
Massimilla, Linda

Johnson, Eric  
Nordgren, Sharon

Ford, Susan  
Townsend, Charles

### HILLSBOROUGH

Ammon, Keith  
Burt, John  
Edwards, Elizabeth  
Gould, Linda  
Belanger, James  
Moore, Josh  
Parison, James  
Sanborn, Laurie  
Ulery, Jordan

Griffin, Barbara  
Sullivan, Daniel  
Ferreira, Elizabeth  
Guerette, C. Lee  
Lachance, Joseph  
Murphy, Keith  
Proulx, Mark  
Seidel, Carl  
Sullivan, Victoria

Backus, Robert  
Eastman, Eric  
Gagne, Larry  
Hogan, Edith  
Marston, Dick  
Notter, Jeanine  
Walsh, Robert  
Souza, Kathleen  
Vann, Ivy

Bouldin, Amanda  
Edelblut, Frank  
Goley, Jeffrey  
Hopper, Gary  
McLean, Mark  
Ohm, Bill  
Rosenwald, Cindy  
Twombly, Timothy  
Zaricki, Nick

### MERRIMACK

Turcotte, Alan  
Carson, Clyde  
Hoell, J.R.  
Kuch, Bill  
Wheeler, Deborah

Alicea, Caroletta  
McGuire, Dan  
Horn, Werner  
Seaworth, Brian

Brewster, Michael  
French, Harold  
Karrick, David  
Shurtleff, Stephen

McGuire, Carol  
Hill, Gregory  
Kenison, Linda  
Wallner, Mary Jane

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Berrien, Skip
Cahill, Michael	Cali-Pitts, Jacqueline	Cook, Allen	Cushing, Robert
Thomas, Douglas	Dean-Bailey, Yvonne	Devine, James	Edgar, Michael
Emerick, J. Tracy	Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Matthews, Carolyn	McMahon, Charles
Nigrello, Robert	Osborne, Jason	Packard, Sherman	Pantelakos, Laura
Prudhomme-O'Brien, Katherine	Gordon, Richard	Simpson, Alexis	Spillane, James
Sytek, John	True, Chris	Tucker, Pamela	

**STRAFFORD**

Baber, William	Cilley, Jacalyn	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Thomas	Kaen, Naida	Turcotte, Leonard
Smith, Marjorie	Spang, Judith	Wall, Janet	Wuelper, Kurt

**SULLIVAN**

Converse, Larry	Irwin, Virginia	O'Hearne, Andrew	Smith, Steven
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The question now being adoption of the motion to limit debate to 15 running minutes on each side, including questions.

Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 269 NAYS 73****YEAS - 269****BELKNAP**

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Fisher, Robert
Flanders, Donald	Gallagher, Brian	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Fraser, Valerie	Varney, Peter

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Hunt, John	Roberts, Kris	Ley, Douglas	Mann, John
McConnell, James	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne			

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Hennessey, Erin	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Hull, Robert	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne	Sykes, George
Townsend, Charles			

**HILLSBOROUGH**

Backus, Robert  
 Beaulieu, Jane  
 Byron, Frank  
 Cohen, Alan  
 Danielson, David  
 Estevez, Eric  
 Goley, Jeffrey  
 Haefner, Robert  
 Heath, Mary  
 Rice, Kimberly  
 LeBrun, Donald  
 Manley, Jonathan  
 Murotake, David  
 McCarthy, Peggy  
 Porter, Marjorie  
 Walsh, Robert  
 Scotsas, Lisa  
 Straight, Phillip  
 Wolf, Terry

Balcom, John  
 Biggie, Barbara  
 Christensen, Chris  
 Cornell, Patricia  
 DiSilvestro, Linda  
 Forest, Armand  
 Gonzalez, Carlos  
 Hansberry, Daniel  
 Hinch, Richard  
 Katsiantonis, Thomas  
 Leishman, Peter  
 Marston, Dick  
 O'Neil, William  
 Pellegrino, Anthony  
 Proulx, Mark  
 Rosenwald, Cindy  
 Shattuck, Gilman  
 Takesian, Charlene  
 Woodbury, David

Baroody, Benjamin  
 Boehm, Ralph  
 Roberts, Carol  
 Cote, David  
 Donovan, Daniel  
 Freitas, Mary  
 Gorman, Mary  
 Hansen, Peter  
 Jack, Martin  
 Christiansen, Lars  
 O'Brien, Michael  
 McClarren, Donald  
 Brown, Pamela  
 Peterson, Ken  
 Christie, Rick  
 Rouillard, Claire  
 Simmons, Tammy  
 Sullivan, Victoria  
 Zaricki, Nick

Barry, Richard  
 Bouldin, Amanda  
 Coffey, James  
 Sullivan, Daniel  
 Edelblut, Frank  
 Gargas, Carolyn  
 Guerette, C. Lee  
 Harvey, Suzanne  
 Jeudy, Jean  
 Ober, Lynne  
 Mangipudi, Latha  
 McNamara, Richard  
 Long, Patrick  
 Pierce, David  
 Ober, Russell  
 Schleien, Eric  
 Snow, Kendall  
 Williams, Kermit

**MERRIMACK**

Turcotte, Alan  
 Rice, Chip  
 Ebel, Karen  
 Karrick, David  
 Luneau, David  
 Moffett, Howard  
 Rogers, Katherine  
 Walsh, Thomas

French, Barbara  
 Carson, Clyde  
 Gile, Mary  
 Kenison, Linda  
 MacKay, James  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Bartlett, Christy  
 Long, Douglas  
 Henle, Paul  
 Kotowski, Frank  
 Marple, Richard  
 Patten, Dick  
 Schuett, Dianne  
 Wheeler, Deborah

Bradley, Paula  
 Doherty, David  
 Hess, David  
 Kuch, Bill  
 Martin, John  
 Ratzki, Mario  
 Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
 Barnes, Arthur  
 Cardon, G. Thomas  
 Devine, James  
 Emerick, J. Tracy  
 Fesh, Robert  
 Gannon, William  
 Heffron, Frank  
 Sweeney, Joe  
 Lovejoy, Patricia  
 Matthews, Carolyn  
 Nigrello, Robert  
 Pantelakos, Laura  
 Tilton, Rio  
 Vose, Michael  
 Woitkun, Steven

Abrami, Patrick  
 Berrien, Skip  
 Chirichiello, Brian  
 DiFranco, Debbie  
 Chase, Francis  
 Francese, Paula  
 Green, Dennis  
 Hodgdon, Bruce  
 Ward, Joanne  
 Griffin, Mary  
 McBeath, Rebecca  
 O'Connor, John  
 Peckham, Michele  
 Sherman, Thomas  
 Webb, James

Allen, Mary  
 Bush, Carol  
 Dean-Bailey, Yvonne  
 Duarte, Joe  
 Rice, Frederick  
 Friel, William  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Major, Norman  
 McKinney, Betsy  
 Gordon, Pamela  
 Potucek, John  
 Simpson, Alexis  
 Welch, David

Azarian, Gary  
 Cahill, Michael  
 DeSimone, Debra  
 Elliott, Robert  
 Ferrante, Beverly  
 Ward, Gerald  
 Hagan, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 Manning, John  
 McMahon, Charles  
 Packard, Sherman  
 Gordon, Richard  
 Sytek, John  
 Weyler, Kenneth

**STRAFFORD**

Baber, William  
 Cheney, Catherine  
 Ward, Kenneth  
 Schmidt, Peter  
 Spang, Judith

Bickford, David  
 Cilley, Jacalyn  
 Kaen, Naida  
 Pitre, Joseph  
 Stevens, Audrey

Bixby, Peter  
 Gardner, Janice  
 Leeman, Don  
 Rollo, Deanna  
 Treleaven, Susan

Burton, Wayne  
 Gray, James  
 Mullen, John  
 Southworth, Thomas  
 Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Grenier, James  
Oxenham, Lee

Cloutier, John  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew

**NAYS - 73****BELKNAP**

Aldrich, Glen

Howard, Raymond

Sylvia, Michael

Vadney, Herbert

**CARROLL**

Avellani, Lino

Cordelli, Glenn

**CHESHIRE**

Johnsen, Gladys

**COOS**

Rideout, Leon

**GRAFTON**

Darrow, Stephen

Johnson, Eric

**HILLSBOROUGH**

Ammon, Keith  
Edwards, Elizabeth  
Hogan, Edith  
Lachance, Joseph  
Notter, Jeanine  
Seidel, Carl  
Vann, Ivy

Griffin, Barbara  
Ferreira, Elizabeth  
Hopper, Gary  
McLean, Mark  
Ohm, Bill  
Souza, Kathleen

Burt, John  
Gagne, Larry  
Belanger, James  
Moore, Josh  
Parison, James  
Twombly, Timothy

Eastman, Eric  
Gould, Linda  
Kurk, Neal  
Murphy, Keith  
Sanborn, Laurie  
Ulery, Jordan

**MERRIMACK**

Alicea, Caroletta  
Deloge, Helen  
Horn, Werner

Brewster, Michael  
French, Harold  
Seaworth, Brian

McGuire, Carol  
Hill, Gregory

McGuire, Dan  
Hoell, J.R.

**ROCKINGHAM**

Abramson, Max  
Cook, Allen  
Harris, Jeffrey  
Prudhomme-O'Brien, Katherine  
Tucker, Pamela

Baldasaro, Alfred  
Cushing, Robert  
Itse, Daniel  
Schroadter, Adam

Bates, David  
Thomas, Douglas  
Kappler, Lawrence  
Spillane, James

Cali-Pitts, Jacqueline  
Edgar, Michael  
Osborne, Jason  
True, Chris

**STRAFFORD**

DeLemus, Susan  
Horrigan, Timothy  
Smith, Marjorie

Graham, Robert  
Jones, Laura  
Wuelper, Kurt

Groen, Warren  
Kaczynski, Thomas

Hannon, Joseph  
Turcotte, Leonard

**SULLIVAN**

Converse, Larry  
and the motion was adopted.

The question being adoption of committee amendment (0067h).  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Reps. Groen, Moore, Baldasaro, Cook and Ohm spoke against.  
Reps. Simpson, Butler, Zaricki and Fothergill spoke in favor.  
Reps. Hoell and Prudhomme-O'Brien spoke against and yielded to questions.  
Rep. Schleien spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 229 NAYS 99****YEAS - 229****BELKNAP**

Dumais, Russell  
Russell, David

Fields, Dennis  
Spanos, Peter

Fisher, Robert  
Vadney, Herbert

LeBreche, Shari

**CARROLL**

Butler, Edward  
Ticehurst, Susan

Chandler, Gene  
Umberger, Karen

Comeau, Ed

Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weber, Lucy

Ames, Richard  
Chase, Cynthia  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

Tilton, Benjamin  
Eaton, Daniel  
Ley, Douglas  
Phillips, Larry  
Sterling, Franklin

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Tatro, Bruce

**COOS**

Fothergill, John  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Smith, Suzanne

Almy, Susan  
Hennessey, Erin  
Maes, Kevin  
Sykes, George

Bennett, Travis  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Cooney, Mary  
Gionet, Edmond  
Nordgren, Sharon

**HILLSBOROUGH**

Ammon, Keith  
Biggie, Barbara  
Roberts, Carol  
Sullivan, Daniel  
Edwards, Elizabeth  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
Kurk, Neal  
O'Brien, Michael  
Murotake, David  
McCarthy, Peggy  
Porter, Marjorie  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

Balcom, John  
Bouldin, Amanda  
Cohen, Alan  
Danielson, David  
Estevez, Eric  
Gorman, Mary  
Hansen, Peter  
Belanger, James  
Christiansen, Lars  
Mangipudi, Latha  
O'Neil, William  
Pellegrino, Anthony  
Proulx, Mark  
Rouillard, Claire  
Straight, Phillip  
Wolf, Terry

Barry, Richard  
Byron, Frank  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Guerette, C. Lee  
Harvey, Suzanne  
Jack, Martin  
Ober, Lynne  
Manley, Jonathan  
Brown, Pamela  
Peterson, Ken  
Ober, Russell  
Schleien, Eric  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Christensen, Chris  
Cote, David  
Donovan, Daniel  
Gargas, Carolyn  
Haefner, Robert  
Heath, Mary  
Rice, Kimberly  
Leishman, Peter  
McClarren, Donald  
Long, Patrick  
Pierce, David  
Walsh, Robert  
Shattuck, Gilman  
Vann, Ivy  
Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Doherty, David  
Hess, David  
Kuch, Bill  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Alicea, Caroletta  
Rice, Chip  
Ebel, Karen  
Karrick, David  
Luneau, David  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

French, Barbara  
Carson, Clyde  
Gile, Mary  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Deloge, Helen  
Henle, Paul  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cardon, G. Thomas  
Devine, James  
Elliott, Robert  
Ferrante, Beverly  
Guthrie, Joseph  
Sweeney, Joe  
Major, Norman  
Nigrello, Robert  
Pantelakos, Laura  
Schroadter, Adam  
Vose, Michael

Abrami, Patrick  
Berrien, Skip  
Cushing, Robert  
DiFranco, Debbie  
Emerick, J. Tracy  
Francesca, Paula  
Heffron, Frank  
Katsakiores, Phyllis  
Matthews, Carolyn  
O'Connor, John  
Peckham, Michele  
Sherman, Thomas  
Welch, David

Abramson, Max  
Cahill, Michael  
Dean-Bailey, Yvonne  
Duarte, Joe  
Chase, Francis  
Friel, William  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McBeath, Rebecca  
Osborne, Jason  
Potucek, John  
Simpson, Alexis  
Woitkun, Steven

Azarian, Gary  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Edgar, Michael  
Rice, Frederick  
Ward, Gerald  
Introne, Robert  
Griffin, Mary  
McMahon, Charles  
Gordon, Pamela  
Tilton, Rio  
Sytek, John

**STRAFFORD**

Baber, William  
Cheney, Catherine  
Horrigan, Timothy  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Cilley, Jacalyn  
Ward, Kenneth  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Burton, Wayne  
Hannon, Joseph  
Smith, Marjorie  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Smith, Steven

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 99****BELKNAP**

Aldrich, Glen  
Howard, Raymond  
Varney, Peter

Tilton, Franklin  
Hurt, George

Flanders, Donald  
Sylvia, Michael

Gallagher, Brian  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
McConkey, Mark

Buco, Thomas  
Nelson, Bill

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ingbertson, Paul

Brown, Duane

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Coffey, James  
Gagne, Larry  
Hopper, Gary  
LeBrun, Donald  
Murphy, Keith  
Scotsas, Lisa  
Twombly, Timothy

Griffin, Barbara  
Eastman, Eric  
Gonzalez, Carlos  
Infantine, William  
Marston, Dick  
Notter, Jeanine  
Seidel, Carl  
Ulery, Jordan

Boehm, Ralph  
Edelblut, Frank  
Gould, Linda  
Judy, Jean  
McLean, Mark  
Ohm, Bill  
Simmons, Tammy  
Sullivan, Victoria

Burt, John  
Ferreira, Elizabeth  
Hogan, Edith  
Lachance, Joseph  
Moore, Josh  
Christie, Rick  
Souza, Kathleen

**MERRIMACK**

Brewster, Michael  
French, Harold  
Marple, Richard

McGuire, Carol  
Hill, Gregory  
Martin, John

Long, Douglas  
Hoell, J.R.  
Seaworth, Brian

McGuire, Dan  
Horn, Werner

**ROCKINGHAM**

Allen, Mary  
Cook, Allen  
Hagan, Joseph  
Ward, Joanne  
Prudhomme-O'Brien, Katherine

Baldasaro, Alfred  
Thomas, Douglas  
Harris, Jeffrey  
Kappler, Lawrence  
Gordon, Richard

Bates, David  
Gannon, William  
Hodgdon, Bruce  
Kolodziej, Walter  
True, Chris

Bush, Carol  
Green, Dennis  
Itse, Daniel  
McKinney, Betsy  
Tucker, Pamela

**STRAFFORD**

DeLemus, Susan  
Jones, Laura  
Mullen, John

Graham, Robert  
Kaczynski, Thomas  
Pitre, Joseph

Gray, James  
Turcotte, Leonard  
Wuelper, Kurt

Groen, Warren  
Leeman, Don

**SULLIVAN**

Laware, Thomas                      Rollins, Skip  
and the committee report was adopted and ordered to third reading.  
Rep. Eastman voted Nay and intended to vote Yea.

**HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies licensure for facilities offering specialty care for drop-in or walk-in patients. This bill presented extensive controversy in the committee debate that it decided the best course of action was to ITL the bill rather than possibly do unexpected harm. Vote 16-1.

**MOTION TO LAY ON THE TABLE**

Rep. Joe Sweeney moved that **HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics, be laid on the table.  
Motion adopted.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Marple moved that the House reconsider its action whereby, on a roll call vote of 180-177, the House adopted the majority committee report of Inexpedient to Legislate on **HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid.

On a division vote, with 117 members having voted in the affirmative, and 211 in the negative, the motion failed.

**REGULAR CALENDAR PART III CONT'D**

**HB 1126**, limiting the authority of delegates to Article V conventions. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Legislative Administration. This bill establishes a procedure for the selection of delegates to an Article V Convention. An Article V Convention is a convention called by the states for the purpose of proposing amendments to the US Constitution. The bill is premature and unnecessary. There would be adequate time, if an Article V Convention were called, for determining the authority of delegates. The language of the bill places restrictions on delegates that may or may not be appropriate at that time. We should not be forcing our representatives into positions which could change if, or when, such a convention is called. Vote 7-1.

**MOTION TO LAY ON THE TABLE**

Rep. Hinch moved that **HB 1126**, limiting the authority of delegates to Article V conventions, be laid on the table.  
Motion adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill attempts to provide boilerplate zoning codes that would fit all communities from Vallejo, California, to Hollis, New Hampshire. Although the codes can be modified to fit local needs and desires, they are simply suggestions and communities in New Hampshire are already using them as suggested wording for their zoning regulations. If this bill passed and was adopted into our statutes, it would send a message to communities that this was the preferred method of adopting zoning which would conflict with their local authority. The committee felt there was no need to send suggestive language to communities who are very capable of developing their own language and are able to use the suggested codes without language from the state. Vote 14-0.

**MOTION TO LAY ON THE TABLE**

Rep. James Belanger moved that **HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation, be laid on the table.

On a division vote, with 306 members having voted in the affirmative, and 17 in the negative, the motion was adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1359**, relative to the tax credit for service-connected disability. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. The intent of this bill is something most would support as it recognizes the sacrifice our veterans have made for our freedom. But the bill ignores the financial status of veterans who qualify. It allows surviving spouses to be tax exempt if they enter into a civil union with a partner. It does not allow for veterans who are terminally ill from Agent Orange. The committee awaits the arrival of SB 348 on the same subject which addresses concerns over this House bill. Vote 16-0.

**MOTION TO LAY ON THE TABLE**

Rep. James Belanger moved that **HB 1359**, relative to the tax credit for service-connected disability, be laid on the table.

Motion adopted.

**REGULAR CALENDAR PART III CONT'D**

**HB 1134**, relative to open access to broadband infrastructure. **INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Vadney for Science, Technology and Energy. This bill posited that towns are blocking passage of high-speed internet cables from passing through their towns and thereby hindering the expansion of broadband internet access to citizens. The promoters of the bill could not cite any actual cases of such hindrance, but were basing the need on what they had heard from other people. Vote 20-0.

**MOTION TO LAY ON THE TABLE**

Rep. Hinch moved that **HB 1134**, relative to open access to broadband infrastructure, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 286 members having voted in the affirmative, and 33 in the negative, the motion was adopted.

**REGULAR CALENDAR PART III CONT'D**

**HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Peggy McCarthy for State-Federal Relations and Veterans Affairs. This resolution recommends a very small investigation limited to one segment of the population. Benzodiazepines are prescribed to more than veterans and any investigation should look at all who have taken the drug plus the variety of other drugs being taken at the same time by this population. Testimony given said this is not a problem in New Hampshire. The Veteran's Association both nationally and in New Hampshire is already taking proactive steps to address the issues of prescription drug use and suicides by veterans. The decision made about drugs should be between a doctor and his or her patient. Vote 13-0.



**MOTION TO LAY ON THE TABLE**

Rep. Russell Ober moved that **HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 277 members having voted in the affirmative, and 44 in the negative, the motion was adopted.

**BILL REMOVED FROM THE CONSENT CALENDAR**

**HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Leishman for Finance. This bill proposed to establish a new position of licensed alcohol and drug counselor (LADC) in the Department of Safety (DOS), Bureau of Emergency Medical Services. DOS revised its original request. The bill originally asked for one new staff position but requested funding for five new staff positions. DOS then asked for one consultant in FY 17 whose responsibilities would be to produce a written list of treatment resources for first responders to have. The list has already been developed and published by the Department of Health and Human Services and is available now. DOS will develop a well-thought-out plan for the consultant and submit it as part of the next budget. Consequently, the committee believes it would be more effective to use the state's limited funds for additional drug treatment programs as opposed to establishing these positions and/or hiring this consultant. Vote 26-0.

**MOTION TO LAY ON THE TABLE**

Rep. Lynne Ober moved that **HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor, be laid on the table.

On a division vote, with 267 members having voted in the affirmative, and 52 in the negative, the motion was adopted.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 6, 2016 at 10:00 a.m..

**LATE SESSION****Third Reading and Final Passage**

**HR 20**, memorializing State Representative Robert Luther of Laconia.

**HB 1594-FN**, relative to emergency medical services.

**HB 1130**, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

**HB 1404-FN**, relative to certain director positions in the insurance department.

**HB 1644-FN**, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

**HB 1695-FN**, relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies.

**HB 1298**, relative to damage to private property.

**HB 1292**, relative to the use of abandoned agricultural property.

**HB 1182-FN**, establishing a committee to study fees for sales of wine by manufacturers.

**HB 1584-FN**, relative to the discharge of a person committed for nonpayment of a fine.

**HB 1590-FN-A-L**, relative to the regulation and taxation of short-term rental businesses.

**HB 1655-FN**, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

**HB 1685-FN**, relative to mortgage bankers, brokers, and servicers.

**HB 280-FN**, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.

**HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

**HB 636-FN**, relative to forfeiture of property.

**HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor.

**HB 1531**, permitting the legislature to open the state house on weekends.

**HB 1553-FN**, transferring the administration of the telecommunications accounting unit.

**HB 602-FN**, relative to the use of drones.

**HB 1681-FN**, relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

**HB 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent.

**HB 1231**, relative to school district policy regarding objectionable course material.

**HB 1300**, relative to the content of patriotic exercises in public schools.

**HB 1338**, relative to student exemption from the statewide assessment.

**HB 1637-FN**, relative to school attendance in towns with no public schools.

**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

**HB 1497**, relative to the limits on disclosure of information used on college entrance exams.

**HB 1144-L**, relative to notice for sessions of correction of the check list.

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 5:10 p.m.

### RECESS

(Rep. Chandler in the Chair)

### ENROLLED BILL AMENDMENT

**SB 110-FN**, establishing the administrative supervision act. (Amendment printed SJ 3-24-16)

Adopted.

### RECESS

(Rep. Russell Ober in the Chair)

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 301.

Rep. Hinch, Sen. Prescott for the Committee

### ENROLLED BILL AMENDMENT

**SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Amendment printed SJ 3-24-16)

Adopted.

### SENATE MESSAGES

### CONCURRENCE

**HB 1438-FN-L**, relative to the registration of antique trailers.

### NONCONCURRENCE

**HB 661-FN**, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

### RECESS

**(Speaker Jasper in the Chair)****RESOLUTION**

Rep. Packard offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 308, 324, 326, 336, 337, 341, 342, 345, 347, 348, 362, 374, 376, 379, 381, 387, 391, 394, 401, 402, 404, 415, 416, 417, 421, 423, 430, 431, 432, 439, 452, 456, 466, 475, 481, 482, 488, 491, 492, 494, 495, 496, 503, 506, 509, 510, 515, 519, 521, 527, 532, 533, 535, 539, 540, 541, 544, 546, 547, 552, 553, Senate Concurrent Resolution numbered 3 and 4, and Constitutional Amendment Concurrent Resolution numbered 27 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

**INTRODUCTION OF SENATE BILLS, SCRS AND CACR****First, second reading and referral**

**SB 308**, relative to the definition of small loans and relative to certain fees on small loans. (Commerce and Consumer Affairs)

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Executive Departments and Administration)

**SB 326**, relative to the membership of the community college system of New Hampshire board of trustees. (Education)

**SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Criminal Justice and Public Safety)

**SB 337**, establishing a committee to study the immunity of court-appointed special advocates. (Judiciary)

**SB 341**, establishing a committee to study guardianship in New Hampshire. (Judiciary)

**SB 342-FN**, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Ways and Means)

**SB 345**, relative to the definition of agritourism. (Environment and Agriculture)

**SB 347**, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. (Municipal and County Government)

**SB 348**, allowing municipalities to adopt a property tax exemption for certain disabled veterans. (Municipal and County Government)

**SB 362**, requiring notice to planning boards of placement of signs on scenic byways. (Transportation)

**SB 374**, requiring the department of environmental services to update coastal flooding trends. (Resources, Recreation and Development)

**SB 376-FN**, relative to wildlife corridors. (Fish and Game and Marine Resources)

**SB 379**, relative to additional tests to determine alcohol concentration. (Criminal Justice and Public Safety)

**SB 381**, relative to the combustion of the wood component of construction and demolition debris. (Science, Technology and Energy)

**SB 387**, relative to the disposition of ward accounts. (Judiciary)

**SB 391**, relative to annulment of certain misdemeanor offenses. (Criminal Justice and Public Safety)

**SB 394**, relative to criminal history record checks of nursing home administrators. (Criminal Justice and Public Safety)

**SB 401-FN**, relative to insurance coverage for prescription eye drops. (Commerce and Consumer Affairs)

**SB 402**, relative to procedures related to the disclosure of exculpatory evidence by police officers. (Judiciary)

**SB 404**, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. (Children and Family Law)

**SB 415**, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. (Environment and Agriculture)

**SB 416**, relative to flexible working arrangements in employment. (Labor, Industrial and Rehabilitative Services)

**SB 417**, relative to employment contract restrictions upon physicians. (Health, Human Services and Elderly Affairs)

**SB 421**, relative to liability of governmental units. (Executive Departments and Administration)

- SB 423**, relating to the right of 17-year olds to register to vote. (Election Law)
- SB 430**, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. (Health, Human Services and Elderly Affairs)
- SB 431**, relative to data submission by insurers. (Commerce and Consumer Affairs)
- SB 432**, relative to itemized bills for medical services. (Commerce and Consumer Affairs)
- SB 439**, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Health, Human Services and Elderly Affairs)
- SB 452-FN**, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. (Executive Departments and Administration)
- SB 456-FN**, relative to reporting of receipts and expenditures by candidates and candidate committees. (Election Law)
- SB 466-FN**, relative to the detention of a minor while waiting for the disposition of his or her case. (Children and Family Law)
- SB 475-FN**, requiring law enforcement agencies to file crime reports with the department of safety. (Criminal Justice and Public Safety)
- SB 481-FN**, relative to a special health care service license and establishing a fund. (Health, Human Services and Elderly Affairs)
- SB 482-FN-L**, establishing a committee to study the effect of short-term rentals on municipalities. (Municipal and County Government)
- SB 488-FN-L**, relative to breastfeeding. (Commerce and Consumer Affairs)
- SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. (Health, Human Services and Elderly Affairs)
- SB 492-FN**, relative to expenditures from the energy efficiency fund. (Science, Technology and Energy)
- SB 494-FN-A**, limiting an exemption from the road toll. (Ways and Means)
- SB 495-FN-A**, relative to state retiree health plan costs and funding. (Finance)
- SB 496-FN**, relative to personal care attendant services. (Health, Human Services and Elderly Affairs)
- SB 503-FN-A**, relative to pre-kindergarten education using "pay for success" financing. (Education)
- SB 506**, clarifying who may adopt. (Judiciary)
- SB 509-FN**, relative to voter registration forms and relative to voter identity verification. (Election Law)
- SB 510-FN**, relative to parking at state park parking meters. (Transportation)
- SB 515-FN**, relative to child neglect and other changes to the child protection act. (Children and Family Law)
- SB 519**, relative to highway signs. (Transportation)
- SB 521-FN**, relative to an OHRV registration fee for persons who are members of an OHRV club. (Resources, Recreation and Development)
- SB 527-FN-A**, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making an appropriation to the department of safety for the purchase of state police cruisers. (Finance)
- SB 532-FN**, relative to prior authorization for substance abuse treatment. (Commerce and Consumer Affairs)
- SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. (Health, Human Services and Elderly Affairs)
- SB 535-FN-A**, establishing a grant program for high schools for heroin and opiate prevention education. (Health, Human Services and Elderly Affairs)
- SB 539**, relative to access to records under the child protection act. (Criminal Justice and Public Safety)
- SB 540-FN**, relative to the possession, use, or sale of kratom by any person under 18 years of age. (Criminal Justice and Public Safety)
- SB 541**, establishing a commission to study provider rates. (Health, Human Services and Elderly Affairs)
- SB 544**, establishing a committee to study funding options for the Internet crimes against children task force. (Criminal Justice and Public Safety)
- SB 546-FN**, relative to petitions for verification of checklists. (Election Law)
- SB 547**, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. (State-Federal Relations and Veterans Affairs)

**SB 552-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means)

**SB 553**, relative to implementation of the Medicaid managed care program. (Health, Human Services and Elderly Affairs)

**SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. (State-Federal Relations and Veterans Affairs)

**SCR 4**, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. (State-Federal Relations and Veterans Affairs)

**CACR 27**, relating to the operating budget. Providing that the state shall not spend more from any fund than such fund receives in revenue, nor use the proceeds of any bond to fund its annual operating expenditures. (Finance)

## RECESS

(Rep. Bates in the Chair)

### ENROLLED BILL AMENDMENT

**SB 238-FN**, relative to the workers' compensation appeals board. (Amendment printed SJ 3-31-16)  
Adopted.

## RECESS

(Rep. Andrew Christie in the Chair)

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 380.  
Rep. Hinch, Sen. Prescott for the Committee

## RECESS

(Rep. Rosenwald in the Chair)

### ENROLLED BILL AMENDMENT

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

#### Amendment (1246-EBA)

Amend RSA 404-G:2, X-c as inserted by section 9 of the bill by replacing line 2 with the following:  
to RSA 126-A:5, XXV.

Adopted.

## SENATE MESSAGE

### CONCURRENCE

**HB 242**, relative to the statewide improvement and assessment program.

**HB 295**, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

**HB 1145**, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.

**HB 1171**, relative to appeals heard by the waste management council.

**HB 1199**, allowing adults to play children's bingo at private campgrounds or hotels.

**HB 1315**, adding mixed-use development to the definition of business and industrial facility.

**HB 1355**, relative to poultry producers exempted from meat inspection requirements.

**HB 1388-FN**, expanding crossbow use into muzzleloader season.

**HB 1418-L**, relative to the minutes of nonpublic sessions of public bodies.

**HB 1419**, relative to voting records in nonpublic sessions of public bodies.

## REFERRED FOR INTERIM STUDY

**HB 183**, relative to voter registration forms.

**NONCONCURRENCE**

**HB 110**, relative to placement of political advertising.

**HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections.

**COMMITTEE ASSIGNMENTS**

The Speaker made the following changes to committee assignments:

Rep. Edgar assigned to the Committee on Labor, Industrial and Rehabilitative Services.

**RECESS**

**(Rep. Emerson in the Chair)**

**ENROLLED BILL REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1696.

Rep. Hinch, Sen. Soucy for the Committee

**SENATE MESSAGE****CONCURRENCE**

**HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

**COMMITTEE ASSIGNMENTS**

The Speaker made the following changes to committee assignments:

Rep. Edgar is off the Committee on Labor, Industrial and Rehabilitative Services and on the Committee on Fish and Game and Marine Resources.

Rep. Zaricki is off the Committee on Labor, Industrial and Rehabilitative Services.

**RECESS**

**(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.

## HOUSE JOURNAL NO. 11

Wednesday, April 6, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

### A Scottish Blessing for Tartan Day

May the blessing of light be on you - light without and light within.

May the blessed sunlight shine on you like a great peat fire,  
So that strangers and friends may come and warm themselves at it.

And may light shine out of the two eyes of you,  
like a candle set in the window of a house,  
bidding the wanderer come in out of the storm.

And may the blessing of the rain be on you,  
may it beat upon your spirit and wash it fair and clean,  
and leave there a shining pool where the blue of heaven shines,  
and sometimes a star.

And may the blessing of the earth be on you,  
soft under your feet as you pass along the roads,  
soft under you as you lie out on it, tired at the end of day;  
and may it rest easy over you when, at last, you lie out under it.

May it rest so lightly over you  
that your soul may be out from under it quickly;  
up and off and on its way to God.  
and now may the Lord bless you,  
and bless you kindly. Amen.

Representative Peter Leishman, member from Peterborough, and Representative Dan Eaton, member from Stoddard, led the Pledge of Allegiance.

The National Anthem was sung by Elizabeth Fortin of Peterborough.

### LEAVES OF ABSENCE

Reps. Barry, Ronald Belanger, Bridge, Chris Brown, Chirichiello, Comtois, Cote, DiFranco, Gargas, Gonzalez, Gladys Johnsen, Kellogg, LeBreche, Massimilla, Carol McGuire, Milz, Moody, Phillips, Priestley, Chip Rice, Sanders, Shaw, Joe Sweeney and Verschueren, the day, illness.

Reps. Ammon, Duane Brown, Dumais, Friel, Heath, Jones, Douglas Long, Lundgren, O'Hearne, O'Neil, Oigny, Parison, Seaworth, Marjorie Smith, Suzanne Smith, Soucy, Spillane, Sprague, Tamburello, Gerald Ward and Webb, the day, important business.

Reps. James Belanger, Rebecca Brown and Harvey, the day, illness in the family.

Rep. O'Connor, the day, death in the family.

### INTRODUCTION OF GUESTS

Eric Scheuch and Charlotte Perkins, students at Kearsarge Regional High School, Pages for the day.

John Fortin, husband of the singer, guest of Rep. Leishman. Jim and Mary Wojdylak, Seamus and Buddy Sullivan, parents and sons of Rep. Victoria Sullivan. Lynda Hunt, Katelyn and Ella Churchill, Gloria Sweeney, Terri Wiltse, Lois Meredith, Ellen Avery, Sue Butman, and David Bruce; wife, step-daughter, granddaughter, mother-in-law and guests of Rep. Hunt. Ken Dassau, guest of Rep. Gallagher. Chris Roundy, guest of Rep. Southworth. Melissa Cunliff, guest of Rep. Stevens. John Lunn, guest of Rep. Irwin. Scott Webster, and Sherry Thompson, guests of Rep. Joanne Ward. Marcus Hermansen, guest of Rep. Rosenwald. Bethany Leak, and Matt Dustin, guests of Rep. Ratzki. Allyson Zacker, guest of Rep. Mangipudi. Charlene Lovett, Middleton Goodwin, and Susan Johnson, guests of the Claremont Delegation. Students from Bud Carlson Academy, guests of the Rochester Delegation. Students from Saint Mary Academy, guests of the Dover Delegation.

The Clerk read the following:

**A PROCLAMATION  
NEW HAMPSHIRE TARTAN DAY  
APRIL 6, 2016**

**WHEREAS**, the Declaration of Arbroath, pronouncing Scottish independence, was signed at Arbroath Abbey on April 6, 1320, by Bernard de Linton, Chancellor of Scotland; and

**WHEREAS**, helping to expand freedom for all people, Scotland abolished slavery in 1777 by freeing African-born slave Joseph Knight, who had been sold in Jamaica and brought to Scotland; and

**WHEREAS**, the United States Declaration of Independence was modeled, in part, after the Declaration of Arbroath; and

**WHEREAS**, nearly half the signers of the Declaration of Independence and nine of the country's original governors, including New Hampshire's governor, were of Scottish descent; and

**WHEREAS**, Scots and Scottish-Americans have made outstanding contributions to both the United States and the State of New Hampshire in the fields of science, math, medicine, education, politics, business, and the arts; and

**WHEREAS**, the United States Senate has passed a resolution designating April 6th of each year as National Tartan Day; and

**WHEREAS**, the Saint Andrew's Society of New Hampshire, along with many other Scottish organizations, including the New Hampshire Gathering of the Scottish Clans, the Scottish Club of the Twin States, the Strathspey & Reel Society of New Hampshire, the New Hampshire School of Scottish Arts, and thousands of citizens who claim Scottish heritage in the state support Scottish Heritage Day;

**NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR** of the State of New Hampshire, do hereby proclaim **APRIL 6, 2016**, as **NEW HAMPSHIRE TARTAN DAY** and call upon the citizens of the state to commemorate the great struggles of freedom and historical achievements of Scottish Americans in New Hampshire.

Given this 5th day of April, in the year of Our Lord two thousand and sixteen, and the independence of the United States of America, two hundred and forty.

Margaret Wood Hassan, Governor

**TARTAN DAY PROGRAM**

Rep. Hunt introduced special guests who performed for the House in honor of New Hampshire Tartan Day: Marielle Webster, Sveta Gerace, Anna Gordon, Hazel Dellario, Laura and Sebastian Benedetto and Campbell Webster. Pipers from the NH Pipe & Drums played the lament in memory of Representatives Robbie Parsons and Robert Luther.

Rep. Joanne Ward offered a Scottish blessing.

May there always be work for your hands to do.

May your purse always hold a coin or two.

May the sun always shine upon your window pane.

May a rainbow be certain to follow each rain.

May the hand of a friend always be near to you and,

May God fill your heart with gladness to cheer you.

**MOTION TO VACATE**

Rep. Andrew Christie moved that the House vacate the reference of **SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council, to the Committee on Executive Departments and Administration.

Motion adopted.

The Speaker referred **SB 324** to the Committee on Resources, Recreation and Development.

**MOTION TO VACATE**

Rep. Rowe moved that the House vacate the reference of **SB 506**, clarifying who may adopt, to the Committee on Judiciary.

Motion adopted.

The Speaker referred **SB 506** to the Committee on Children and Family Law.



**MOTION TO VACATE**

Rep. Tholl moved that the House vacate the reference of **SB 539**, relative to access to records under the child protection act, to the Committee on Criminal Justice and Public Safety.

Motion adopted.

The Speaker referred **SB 539** to the Committee on Children and Family Law.

**SENATE MESSAGES****REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 499**, permitting New Hampshire farmers to sell farm-raised bison directly to the public. (Amendment printed SJ 3-17-16)

Rep. Haefner moved that the House concur and spoke in favor.

Motion adopted.

**HB 216-FN**, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board. (Amendment printed SJ 1-14-16)

Reps. Andrew Christie and Kurk moved that the House concur.

Rep. Andrew Christie spoke in favor.

Motion adopted.

**HB 377**, establishing a state geographic information system committee. (Amendment printed SJ 3-24-16)

Rep. Andrew Christie moved that the House concur and spoke in favor.

Motion adopted.

**HB 1397**, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen. (Amendment printed SJ 3-31-16)

Rep. Chandler moved that the House concur and spoke in favor.

Motion adopted.

**HB 351**, exempting historically significant vehicles from emission control requirements. (Amendment printed SJ 3-24-16)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

**HB 353**, relative to the governance of condominium unit owners' associations. (Amendment printed SJ 1-14-16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Harold French, Biggie and Williams.

**HB 427**, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA1. (Amendment printed SJ 2-4-16)

Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Sytek, Andrew Christie, Beaudoin and Gagnon.

**HB 285**, relative to discussion with legal counsel under the right-to-know law. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

**HB 606-FN-L**, relative to costs for public records filed electronically. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

**HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Amendment printed SJ 1-21-16)

Rep. Hinch moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hinch, Packard, Russell Ober and Weber.

### CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**SB 498-FN**, relative to penalties for possession of certain controlled drugs, removed by Rep. Sylvia.

**SB 460**, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships, removed by Rep. Ladd.

**SB 441-FN**, relative to discounts and admission without charge at state parks, removed by Rep. Horrigan. Consent Calendar adopted.

**SB 25-FN**, relative to the administration of epinephrine. **OUGHT TO PASS.**

Rep. Victoria Sullivan for Education. This bill establishes procedure for the administration of epinephrine, which is a life-saving medication that is administered at the onset of anaphylaxis, by certain authorized entities. This bill also provides immunity to school personnel who administer the epinephrine. Vote 17-0.

**SB 312**, relative to epinephrine administration in independent schools. **OUGHT TO PASS.**

Rep. John Balcom for Education. This bill extends the placement of auto-injectable epinephrine to independent and postsecondary educational institutions. Vote 17-0.

**SB 314**, relative to the membership of the higher education commission. **OUGHT TO PASS.**

Rep. Robert Elliott for Education. This bill simply changes the name already in law as the NH Council for Professional Education to the American Council for Professional Education and Training. Vote 16-0.

**SB 316**, relative to placement decisions by a child's individualized education program team. **OUGHT TO PASS.**

Rep. James Grenier for Education. This bill addresses potential concerns arising from the passage of HB 610 (Chapter 125, Laws of 2015, relative to a school board vote on the reassignment of a pupil) passed last year. That bill amended RSA 193:3, III to require school boards of both receiving and sending school districts to approve placement for a change of school assignment. Placement of a child with a disability is the responsibility of the IEP team and not the sending school board. This bill clarifies this difference. Vote 17-0.

**SB 322**, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. **OUGHT TO PASS.**

Rep. Ralph Boehm for Education. This bill allows school districts, at their discretion, to have bronchodilators, spacers or nebulizers on hand in the schools. These will most likely be provided by the drug companies, as are EPI-Pens. Students currently have the ability to carry their own and/or leave them in the nurse's office. This bill protects students with asthma who forget their inhaler, or fail to provide one to the school nurse for protection in an emergency situation. Vote 17-0.

**SB 328-L**, relative to school districts and school administrative units exercising joint powers with other public agencies. **OUGHT TO PASS.**

Rep. Barbara Shaw for Education. This bill allows for the possibility of cost saving efforts through a shared business administrator among school districts in transportation, maintenance, purchasing and many other areas. Efficiency and best use of taxpayers money is always a plus. Passing this legislation will give municipalities and schools options which will allow savings in financial administration of the towns funds. Vote 19-0.

**SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. **OUGHT TO PASS.**

Rep. John Balcom for Education. This timely bill establishes a committee to address problems and potential solutions with current threat notification systems linking schools under threat to law enforcement using dependable communications. The committee unanimously supported the bill. Vote 19-0.

**SB 371**, relative to school lunch meal payment policies. **OUGHT TO PASS.**

Rep. Mary Gile for Education. This bill proposes standards that hold parents responsible for payment of their child's school lunch, not children. Some schools have introduced practices that force students whose parents are delinquent to go to the principal's office, or stand in a different line for a lunch of lesser appeal and quality, or limit the participation in school activities e.g. field trips, etc. Such practices can demean, embarrass and humiliate students and should not be allowed. Although this bill is not a mandate; it does however, set forth criteria for districts to follow in the implementation of school lunch payment policies. Vote 19-0.

**SB 373**, relative to the information technology infrastructure in public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Christopher Adams for Education. This bill establishes a committee to study the feasibility of using school building aid funds to upgrade the information technology infrastructure in the public schools for the purpose of enabling the establishment of virtual classrooms. Current funding for school building aid is frozen in the current budgeting cycle and if funding begins in future budgeting cycles there are numerous districts with multiple school buildings greatly in need of support to address safety and physical plant issues. While the committee fully recognizes the importance of having adequate broadband access for educational purposes, this bill is not the vehicle needed to satisfy this issue. Vote 19-0.

**SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. **OUGHT TO PASS.**

Rep. Barbara Shaw for Education. This bill requires background checks to conform with federal law as required by CCDBG Act (Child Care and Development Block Grant). This new process is more comprehensive and provides additional safety measures for children within these institutions. A government card will be issued as verification of background check completion. In order to receive the CCDBG funds, states must comply by September 30, 2017. Vote 19-0.

Referred to the Committee on Criminal Justice and Public Safety.

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill allows any retired member of the NH Retirement System (NHRS) to terminate the election of a single non-spouse beneficiary past the current 120-day statutory limit. If this option is exercised, the retiree's pension benefit would change to the amount that would have been paid if no beneficiary had been selected. The amendment allows a retiree to terminate the election of a former spouse as a beneficiary based on the terms of a final divorce decree in which the former spouse renounces any claim to the benefit. Vote 17-1.

**Amendment (1109h)**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Retirement System; Optional Allowances; Divorce. Amend RSA 100-A:13, II(a)(1) to read as follows:

(1) Terminate such elected option upon the issuance of a divorce decree and subsequent remarriage of the former spouse, *or in accordance with the terms of the final divorce decree or final settlement agreement which provides that the former spouse shall renounce any claim to a retirement allowance under RSA 100-A.* Upon termination, the allowance received under the elected option shall be converted to the retirement allowance that would have been payable in the absence of such election. Any supplemental allowance, or COLAs, granted to the retiree and effective before the date of termination of the option shall continue in effect and shall not be adjusted as a result of the termination. Notice of such termination shall be given by the retiree on a form designated by the board. Payment of the converted allowance shall commence on the first day of the month following receipt of termination by the board. For any retiree whose divorce and the subsequent remarriage of the former spouse occurred on or before July 1, 1990, the notice shall be given to the board on or before October 1, 1990. Said termination action shall become effective on the first day of the month following receipt of such notice by the board. If the retiree dies after giving valid notice of such termination but before the effective date, the option shall terminate as of the date of the retiree's death.

## AMENDED ANALYSIS

This bill allows a retired member of the retirement system to terminate the designation of a single, non-spouse beneficiary to receive an optional allowance. The bill also allows for the termination of an optional allowance in accordance with a final divorce decree or final settlement agreement.

**SB 237-FN**, establishing a reporting requirement for gubernatorial inauguration contributions. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill requires the governor-elect to appoint an inaugural treasurer and report expenditures and contributions related to the inauguration. As the prime sponsor of this bill explained, the core purpose of this legislation is to ensure transparency and permit public access to information about these contributions. Vote 13-0.

**SB 313**, relative to requirements for licensed estheticians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. This bill, as amended, will allow required training credit hours accumulated in order to be licensed as a massage therapist to count toward training credit hours required for an esthetician's license. Coursework may only be applied to the requirements for an esthetician's license as long as the content of the courses has been determined to be equivalent by the Board of Barbering, Cosmetology, and Esthetics. Vote 13-0.

## Amendment (1096h)

Amend RSA 313-A:13 as inserted by section 1 of the bill by replacing it with the following:

313-A:13 Qualifications; Estheticians. To be issued an esthetics license by the board, an applicant shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e), have completed a course of at least 600 hours of training in a school approved by the board and have passed an examination conducted by the board. An apprenticeship approved by the board may substitute for the required training. Estheticians who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989, and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training requirements of this section shall not be required to take the examination provided for in this section to be eligible for licensure under this chapter. Credit towards the hours requirement for esthetician training may be given to a licensed cosmetologist or barber for equivalent training in the cosmetology or barber program in a school approved by the board upon certification of the training by the school. *Credit towards the hours requirement for esthetician training may be given to a licensed massage therapist for massage therapy training deemed equivalent by the board.* Cosmetologists licensed by the board may obtain the training hours in subjects required by the board in increments at separate schools but must present certifications to the board for all required hours and curriculum subjects.

## AMENDED ANALYSIS

This bill allows a licensed massage therapist to satisfy training requirements for licensure as an esthetician with training deemed equivalent by the board of barbering, cosmetology, and esthetics.

**SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill adds the definitions of "adult child," "dependent child," and "stepchild" for the purposes of determining survivor benefits for families of police officers and firefighters killed in the line of duty. The committee heard testimony of a recent situation involving two daughters of a police officer who died in the line of duty. One daughter was under the age of 18 and the other was over the age of 18. Both, however, were still dependent upon their father's financial assistance. Because the law relative to survivor benefits referenced only dependent children under the age of 18, only one of his children was eligible to receive these benefits. The committee felt that this was clearly not the intent of the law. Vote 17-1.

## Amendment (1210h)

Amend the bill by replacing section 1 with the following:

1 Survivor Benefits. Amend RSA 21-I:29-a, I to read as follows:

I. In this section:

(a) *"Adult child" means a child, whether by blood or adoption, of the police officer or firefighter, age 18 or older at the time of death of such police officer or firefighter and who does not meet the definition of a dependent child.*

*(b) "Dependent child" means a child, whether by blood or adoption, or stepchild of the police officer or firefighter who:*

*(1) Is under the age of 25 and was dependent on the earnings of the police officer or firefighter at the time of death. For the purposes of this subparagraph, a child is not considered dependent if the child provides more than half of his or her own support, is married, or is legally adopted by another; or*

*(2) Is any age and is physically or mentally incapacitated and was dependent on the earnings of the police officer or firefighter at the time of death.*

*(c) "Family" means the surviving spouse of the police officer or firefighter who was wholly or partially dependent, in fact, upon the earnings of the police officer or firefighter; or, if there is no surviving spouse, the surviving dependent child or dependent children, of such police officer or firefighter or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such police officer or firefighter. ~~[A surviving dependent child shall include a dependent step-child whose expenses of daily living were substantially paid for by the decedent at the time of the death.]~~*

*[(b)] (d) "Firefighter" means any firefighter, including auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters who are employed by a city, town, village district, or precinct within the state of New Hampshire, any firefighter employed by the state of New Hampshire, or any firefighter who is a volunteer for or employed by a non-profit corporation which is the primary provider of fire protection for all or part of a New Hampshire municipality.*

*[(e)] (e) "Killed in the line of duty" means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.*

*[(d)] (f) "Police officer" means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are employed by a city, town, village district, county, or precinct within the state of New Hampshire, police officers employed by the university system of New Hampshire, and any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.*

*(g) "Stepchild" means an individual who is the legally adoptive or biological first generation offspring of the police officer's or firefighter's current, deceased, or former spouse conceived before the marriage of the police officer or firefighter and the spouse.*

Referred to the Committee on Finance.

**SB 332**, relative to state procurement of goods and services. **OUGHT TO PASS.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill does four separate things: first, the bill increases the spending that can be done via a debit card or field purchase order from \$500 to \$1,000. This is in keeping with the costs for a project where a debit card or field purchase order would be used. The administrative costs for some of these low dollar purchase orders add up quickly. Secondly, the bill establishes an Advisory Committee on State Purchases. This is an ongoing committee looking for ways to improve the efficiency of government. The committee is required to issue a report yearly with their findings. Thirdly, the bill updates the ethics section on bidding and disqualifies someone who violates the statutes from bidding on future proposals. Lastly, the bill keeps bid packages confidential until the bid is awarded either via the Governor and Council or the agency/department. This way, competitors cannot obtain a copy of their competitor's proposal and seek to undercut them on the bid without doing the work of creating a bid package. Vote 13-0.

**SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Trustees of the retirement system to designate a presiding officer in an appeal of an initial determination relative to a member's qualification for ordinary or accidental disability benefits. The presiding

officer may not be the same person who made the initial determination. Currently, if a member is deemed not eligible for disability benefits, the hearing officer who makes that determination is the same individual who hears an appeal, if one is made. While there was no evidence presented that this process was materially unfavorable to applicants of disability benefits, the committee agreed with the sponsors that on its face the process had the potential to be unfair to the applicant. Vote 17-0.

**SB 397**, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This is a pure housekeeping bill brought to add two members to the Commission on Post-Traumatic Stress Disorder and Traumatic Brain Injury. It also updates the name of one of the organizations represented on the commission from the NH Deployment Cycle Support Program to the Care Coordination Program of NH. Vote 13-0.

**SB 398**, relative to renewal of licenses issued by the board of funeral directors and embalmers. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill changes the fiscal year of the Board of Embalmers and Funeral Directors from a calendar year basis to align it with the NH state government fiscal year that ends in June. It also converts the licenses issued by the board from one year to two years. There is no increase in the cost to licensees on an annualized basis. Thus, this is essentially a housekeeping bill. Vote 13-0.

**SB 400**, relative to executive branch ethics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Christie for Executive Departments and Administration. This bill makes several modifications to the Executive Branch Code of Ethics. It clarifies the definition of executive branch official, modifies the restrictions on appointees to the Executive Branch Ethics Committee by permitting them to hold non-partisan elected office, and adds a provision permitting any person to request an interpretive ruling on the applicability of laws under the jurisdiction of the committee. Vote 16-0.

#### **Amendment (1193h)**

Amend the bill by replacing section 8 with the following:

8 Executive Branch Ethics Committee; Jurisdiction. Amend RSA 21-G:29, I and II to read as follows:

I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials [~~who are not classified employees~~].

II. The jurisdiction of the committee shall consist of matters arising under the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to current or former executive branch officials [~~who are not classified employees~~], provided that the committee may only consider a complaint against a former executive branch official if the complaint is filed no later than 180 days after the day the official resigned, retired, or otherwise left his or her position.

Amend the bill by replacing section 10 with the following:

10 Duties; Ethics Committee. Amend RSA 21-G:30, I to read as follows:

I. The committee shall be authorized to:

(a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials. Such guidelines shall be consistent with statute.

(b) Issue interpretative rulings explaining and clarifying any law, guideline, *or* rule[, ~~or regulation~~] within the jurisdiction of the committee.

(c) Render [~~an~~] advisory [~~opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the~~]

~~person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be nonpublic. A redacted version of the advisory opinion shall be public]~~ *opinions in accordance with RSA 21-G:31-a.*

(d) Receive sworn complaints, investigate allegations of violations of this subdivision ~~[or guidelines adopted thereunder]~~ by executive branch officials and make appropriate findings of fact and conclusions with respect to such conduct.

(e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated. Amend the bill by replacing section 12 with the following:

12 New Sections; Advisory Opinions; Interpretive Rulings. Amend RSA 21-G by inserting after section 31 the following new sections:

21-G:31-a Advisory Opinions; Procedure.

I. Any executive branch official may request, in writing, an advisory opinion regarding the application of any law, guideline, or rule within the committee's jurisdiction to a specific factual situation pertinent to the requester's conduct or proposed conduct. Notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work in response to a request for an advisory opinion, except for the opinion itself, shall be confidential. The advisory opinion shall be made public but the name of the person seeking the opinion and any information in the opinion that would identify such person shall be nonpublic.

II. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion.

21-G:31-b Interpretive Rulings; Procedure. The committee may initiate or any person may request an interpretive ruling explaining or clarifying a law, guideline, or rule of general applicability within the committee's jurisdiction. If the committee determines that a requested interpretive ruling will be helpful to those individuals under the committee's jurisdiction, it shall take up the request in public, receive testimony and other information that it deems helpful on the issue, and render a public ruling.

**SB 406-FN**, relative to classification of certain state employee positions. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is housekeeping legislation to implement and codify certain previous decisions of the Joint Committee on Employee Classification (JCEC), as required by statute and requested by the JCEC. This is the final step in the process for designating or reassigning salary grade levels for unclassified positions. Vote 17-0. Referred to the Committee on Finance.

**SB 467-FN**, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill makes housekeeping changes to laws governing private investigators, security guards and bail recovery agents. In order to simplify the regulatory structure, it puts the regulation of bail recovery agents solely under the jurisdiction of the Department of Safety. It adds a new member to the advisory board to make it more balanced and representative of the regulated professions. The bill also streamlines and updates continuing education and firearm qualification requirements. The amendment extends the term of the license for bail recovery agents from one year to two years. Vote 15-1.

#### **Amendment (1152h)**

Amend RSA 597:7-b, II as inserted by section 12 of the bill by replacing it with the following:

II. Any person who operates as a *bail* recovery agent in this state, excluding licensed private detectives, shall be trained and certified through a program approved by the Professional Bail Agents of the United States *or other training program approved by the commissioner of safety* and shall ~~[register annually]~~ *be licensed* with the ~~[secretary of state]~~ *department of safety under RSA 106-F. Licensees shall also meet proficiency requirements under RSA 106-F:8-a.* The ~~[secretary of state]~~ *department of safety* shall issue to each ~~[registered]~~ *licensed bail* recovery agent proof of such ~~[registration]~~ *licensure*. ~~[Effective July 1, 2000;]~~ Each bail ~~[agency]~~ *recovery agent* operating in this state shall ~~[annually]~~ provide to the ~~[secretary of state]~~ *department of safety* proof of liability

insurance coverage in the amount of \$300,000 for bail recovery activities [~~of the agency's bail agents and bail recovery agents~~]. This proof of insurance coverage shall be provided before the [~~agency's~~] bail [~~agents are~~] *recovery agent* is licensed or relicensed[, ~~and before the agency's bail recovery agents are registered or reregistered~~] *by the department of safety*. [~~Bail recovery agents acting as independent contractors shall provide proof of liability insurance coverage in the amount of \$300,000 to the secretary of state before registration or reregistration.~~] *Licenses shall be valid for 2 years after the date of issuance and shall be renewed every 2 years thereafter, upon application and payment of the fee and submission of continuing proof of the required liability insurance coverage. The application for renewal shall be submitted at least 15 days before the expiration of the previously granted license.* Any person who operates as a *bail recovery agent* in this state without meeting [~~such certification, insurance, and registration~~] *the licensure and relicensure* requirements shall be guilty of a class [~~A~~] *B misdemeanor for the first offense and a class A misdemeanor for a second offense within a 7-year period.*

**SB 257-FN**, relative to membership in the judicial retirement plan of judges appointed at age 63 or older. **OUGHT TO PASS.**

Rep. Kurt Wuelper for Judiciary. This bill allows judges who could never become eligible for retirement to opt out of the judicial retirement system. The committee thought it good to offer them this option. Vote 16-0.

**SB 318**, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. **OUGHT TO PASS.**

Rep. Judith Spang for Resources, Recreation and Development. This lot line adjustment was examined and brought to us by the Department of Resources and Economic Development. The Bradford Pines area was established as a state Natural Area which means it is to be retained by the state for future generations. However, an abutter discovered that a previous owner had intruded upon the Natural Area with a corner of a building, driveway and utilities. The landowner has agreed to swap the encroaching land for an equal amount of more valuable land along the Warner River, through a process set forth in RSA 4:40. Vote 15-0.

**SB 378**, relative to the availability of net metering tariffs. **OUGHT TO PASS WITH AMENDMENT.** Rep. Douglas Thomas for Science, Technology and Energy. This bill will prevent an entity from reserving an undue portion of the new net metering capacity created by HB 1116, as already passed by the House, prior to the Public Utilities Commission (PUC) making a decision on a new net metering tariff and possible cap. It amends RSA 362-A:9 to limit the amount of reserved net metering interconnections that a single entity can hold to 20 percent of the total net metering utility-specific allocation. It requires the PUC to review group net metering agreements, requires each electric utility to make certain information on net metering allocation and capacity available on its website, and requires all persons involved in a net metering interconnection queue application for a project greater than 100 kilowatts to sign a certificate of compliance relative to the 20 percent limit. It contains a non-specific sunset provision that goes into effect upon a final decision by the PUC that sets a tariff and eliminates any cap on net metering. Vote 19-0.

#### **Amendment (1199h)**

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph I the following new paragraph:

I-a. No person, owner, developer, installer of an eligible customer-generator facility, business organization, or any subsidiary thereof, shall reserve capacity space in the net metering interconnection queue more than 20 percent of the total net metering utility-specific allocation pursuant to this section, and the creation of multiple business organizations, including a person, as defined in RSA 366:1, I, by the same shall not defeat this requirement. On a weekly basis each utility shall make public on its website its total net metering allocation, its reserved net metering capacity, and its installed and operating net metering capacity. For project applications of greater than 100 kilowatts, each utility net metering interconnection queue application shall include a certification of compliance with the 20 percent requirement, all persons involved in such an application shall sign the certification of compliance, and no application shall be processed where one or more persons involved in the application did not sign the certification of compliance.



3 Repeal. RSA 362-A:9, I-a, relative to net energy metering, is repealed.

4 Applicability. Section 3 of this act shall take effect upon a final decision of the commission which is not subject to appeal that sets a tariff and eliminates any cap on net metering as certified to the director of legislative services and the secretary of state.

5 Effective Date.

I. Section 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Requires the public utilities commission to review net metering agreements between group hosts and group members.

II. Requires an electric utility to make certain information on net metering allocation and capacity available on its website on a bi-weekly basis.

III. Requires all persons involved in a net metering interconnection queue application to sign a certificate of compliance.

### MOTION TO SPECIAL ORDER

Rep. Cloutier moved that **SB 152**, relative to criminal history records checks for school employees and designated school volunteers, be made a Special Order as the first order of business on the Regular Calendar.

Rep. Cloutier spoke in favor.

Motion adopted.

### SPECIAL ORDER

**SB 152**, relative to criminal history records checks for school employees and designated school volunteers. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John Balcom for the Majority of Education. This bill provides that information relating to any crime committed by a school employee or a designated school volunteer may be used in making a hiring decision. The majority of the committee believed that this legislation is similar to a bill passed by the House in the 2015 session; and for the safety of our students, we need to pass this senate bill. The bill's intent is to prevent known predators or criminals from accessing our schools by allowing the release of information regarding convictions of applicants for any felonies and misdemeanors. Vote 17-2.

Rep. Christopher Adams for the Minority of Education. This bill addresses a critical issue in the hiring of school district staff and ensuring these individuals are properly vetted and have no criminal history that may indicate a danger to students and staff that they will come into contact with on a daily basis. Last year, the House passed a similar bill that would have enacted these protections by widening the scope of reported incidents from felony convictions to both felony and misdemeanor convictions being reported. Unfortunately, this bill narrows the dispersion of the information reported and the scope of decision making process to only the superintendent in a district thus causing potential overwork and an avenue for personal bias in the decision making process. The bill also muddies the water in the application of this law to non-public schools that may not have a superintendent or chief executive officer as defined in the legislation even though they may wish to perform these criminal history checks. If they choose to perform these checks they must comply with the legislation despite not having the prescribed official. They may have a qualified staff professional or agency that is bonded and insured to perform such evaluations do this work for them. This legislation would prohibit that. Last, the legislation broadens discretionary application of this law beyond being convicted of a felony or misdemeanor to any crimes that may potentially have been of a civil or commercial nature, such as being convicted of breach of peace for protesting at a political event or in opposition to building a pipeline through your property.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Adams offered minority committee amendment (1105h).

### Minority Amendment (1105h)

Amend RSA 189:13-a, I-V as inserted by section 1 of the bill by replacing it with the following:

I.(a) The employing school administrative unit, school district, or chartered public school shall complete a criminal history records check on every selected applicant for employment in any position in the school administrative unit, school district, or chartered public school prior to a final offer of

employment. A public academy approved by the New Hampshire state board of education shall submit a criminal history records check on applicants for employment pursuant to this section. ~~[A school administrative unit, school district, chartered public school, or public academy]~~ ***The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** may extend a conditional offer of employment to a selected applicant, with a final offer of employment subject to a successfully completed criminal history records check. No selected applicant may be extended a final offer of employment unless the school administrative unit, school district, chartered public school, or public academy has completed a criminal history records check. The school administrative unit, school district, chartered public school, or public academy shall not be held liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer services from a designated volunteer, with a criminal history was in any way negligent or deficient, if the school administrative unit, school district, chartered public school, or public academy fulfilled the requirements of this section.

(b) A nonpublic school may elect to require a criminal history records check on selected applicants for employment or selected volunteers. A nonpublic school that elects to conduct a criminal history records check shall comply with the procedures and requirements set forth in this section. ***With respect to a nonpublic school, as used in this section, "superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee" means the person or persons designated by the nonpublic school to fulfill the duties set forth in this section.***

II. The selected applicant for employment or designated volunteer with a school administrative unit, school district, chartered public school, or public academy shall submit to the employer a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of information regarding the presence or absence of any record of convictions of the applicant of felonies ***or misdemeanors***, or of charges pending disposition for or convictions of the applicant of the crimes listed in paragraph V. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the school administrative unit, school district, chartered public school, or public academy. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school district, chartered public school, or public academy may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant has lived during the past 5 years.

III. The school administrative unit, school district, chartered public school, or public academy shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. The state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, chartered public school, or public academy, and shall report the presence or absence of any such crime to the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee.*** ~~[Under no circumstances shall the criminal records be released to the school administrative unit, school district, chartered public school, or public academy. The school administrative unit, school district, chartered public school, or public academy]~~ ***The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall destroy the information received immediately following ~~[its]~~ review of the information. If the criminal history records information indicates that the applicant has been convicted of ~~[a felony]~~ ***any crime*** or has been charged pending disposition for or convicted of a crime listed in paragraph V, the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or***

*public academy, or designee*, shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The ~~[school administrative unit, school district, chartered public school, or public academy]~~ *superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee*, shall destroy any criminal history record information that indicates a criminal record within 30 days of receiving such information.

IV. The school administrative unit, school district, chartered public school, or public academy may require the selected applicant for employment or designated volunteer to pay the actual costs of the criminal history records check.

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. ~~[By decision of the appropriate governing body, a school administrative unit, school district, chartered public school, or public academy]~~ *The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee*, may deny a selected applicant a final offer of employment if such person has been convicted of any ~~[felony]~~ *crime* in addition to those listed above. The governing body *of a school district, chartered public school, or public academy* may adopt a policy stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired. Rep. Adams spoke in favor.

Rep. Ladd spoke against.

Minority committee amendment failed.

Majority committee report adopted and referred to the Committee on Criminal Justice and Public Safety.

## REGULAR CALENDAR CONT'D

**SB 464-FN-A**, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill establishes the statewide drug offender grant program. At the hearing it was determined that the bill title referenced revenue issues. Upon thorough review of the bill the committee concluded that there were no references to taxes or fees required to accomplish the goals of the program. The bill requires expenditure approval in order to implement the drug offender grant program. The vote of the committee is a procedural vote only. The vote of the committee should not be construed as a policy decision because the policy addressed by the bill is not within the jurisdiction of the House Ways and Means Committee. Vote 17-0. Committee report adopted and referred to the Committee on Finance.

**SB 339-FN**, relative to required DNA analysis for certain offenses. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. Current law requires that the collection of a DNA sample (a cheek swab) be taken and analyzed upon a person's intake or prior to the release of a person from the state prison. The collection and analysis are allowed under current statute for any person convicted of any sexual offense, or any offense against a child, or any other felony offense prohibited by NH laws, or "...another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason." This bill adds the language "...or any person declared not guilty by reason of insanity or civilly committed to the department of corrections." This addition closes a loophole in the statute and would allow the Department of Corrections to collect and analyze a DNA sample if a person committed a felony offense but was found not guilty by reason of insanity. DNA is only collected at the state prison, not at any county jail or other lockup facility. Currently, there are less than 20 persons incarcerated who would fall into this category, as well as a much smaller number of persons who have been civilly committed to the state prison because they are a danger to either themselves or others. It costs about \$100 for collecting and analyzing each DNA swab, but there is

a federally funded program that pays for this so there is no cost to the state. Further, all fifty states have a variation of this law, with some states like California collecting DNA samples upon arrest rather than upon conviction. Both the Department of Corrections and the Department of Safety supported this bill. Tim Pifer, the NH State Police Forensic Laboratory Director, testified that given the substantial recidivism rate of persons who are found not guilty by reason of insanity for serious crimes, this bill would serve both as a deterrent and a useful investigative tool for unsolved crimes. NH Department of Corrections Commissioner William Wrenn also appeared before the committee to voice strong support for this bill. The committee debated the balance between public safety and individual rights to privacy, but the majority of the committee felt this to be a minimal intrusion to an individual with the greater good to society to be of stronger benefit. Over the years, with the perfecting of DNA analysis, many cold cases have been solved and many wrongly convicted persons have been exonerated. Vote 10-3.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority recognizes that this bill would impact some people who have never engaged in, committed, or been charged with a crime, but who have severe mental illnesses that resulted in them being involuntarily committed to state institutions. Under RSA 135-C, people with mental illnesses are involuntarily committed to the state hospital, and under RSA 622:45 some of those acute patients, those whose illness pose a threat to themselves or others, are transferred to and civilly committed to the Department of Corrections Secure Psychiatric Unit. Mental illness is a medical condition, not a crime. The minority believes that, notwithstanding the current practice of the state comingling people civilly committed with those who have been convicted of crimes in the Secure Psychiatric Unit, the legislature should not require those who have never been accused of or committed a crime to submit to have a DNA sample be taken for DNA analysis to determine identification characteristics specific to that person. We should treat all patients the same when it comes to DNA testing for identification characteristics, and singling out those with mental illness for testing violates the concept of health care parity and equal treatment under the law.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Cushing spoke against.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

**SB 389-FN**, relative to the penalty for possession of multiple firearms. **INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill is a very narrow piece of legislation to amend the armed career criminals statute (RSA 159:3-a). If this change was to be enacted, it would negatively affect the prosecutor's discretion in prosecuting armed career criminals. There was no testimony other than a co-sponsor. The NH Supreme Court has recently upheld the constitutionality of this statute. The majority of the committee, after much deliberation, came to the conclusion that the prosecutor is the best person to decide how to proceed in the prosecution of individual cases of armed career criminals. This bill is looking to solve a problem which does not exist in current law. Vote 8-3.

Committee report adopted.

**SB 320**, relative to non-academic surveys administered by a public school to its students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the Majority of Education. This bill changes current law to require parents, or guardians to give permission (opt-in) on all non-academic surveys or questionnaires except for the Centers of Disease Control and Protection (CDC) risk survey which requires an opt-out by parents or guardians. The amendment fixes language and makes it clear that only the CDC survey is opt-out. The bill also makes it clear that students under 18 cannot give permission for taking the survey. Vote 11-9.

Rep. June Frazer for the Minority of Education. The minority on this bill feel strongly that this matter is an issue of local control and a policy would more appropriately be left to local school districts. The bill also creates confusion in making one exception to the rule opt-in and another opt-out. Finally, it is feared that such a law might interfere with important research.

**Majority Amendment (1143h)**

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. *The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention.* The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. ~~[The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.]~~ In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horrigan offered floor amendment (1240h).

**Floor Amendment (1240h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Amend the bill by replacing all after the enacting clause with the following:

1 State Board of Education; Duties. Amend RSA 186:11, IX-b, IX-c, and IX-d to read as follows:

IX-b. Health and Sex Education. Require school districts *and chartered public schools* to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

IX-c. Require school districts *and chartered public schools* to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee, *or designated chartered public school official* in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district *or the chartered public school* and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

IX-d. Require school districts *and chartered public schools* to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts *and chartered public schools* to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The school district *or chartered public school* shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

2 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill adds references to include chartered public schools in the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Rep. Horrigan spoke in favor and yielded to questions.

Rep. Ladd spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 52 NAYS 274****YEAS - 52****CARROLL**

Butler, Edward

**CHESHIRE**

Abbott, Michael

Ames, Richard

Tilton, Benjamin

Berch, Paul

Bordenet, John

Eaton, Daniel

Ley, Douglas

Pearson, William

Robertson, Timothy

Shepardson, Marjorie

**COOS**

Froburg, Alethea

**GRAFTON**

Abel, Richard

Cooney, Mary

Maes, Kevin

Townsend, Charles

White, Andrew

**HILLSBOROUGH**

Roberts, Carol

Edwards, Elizabeth

Freitas, Mary

Herbert, Christopher

Leishman, Peter

O'Brien, Michael

Mangipudi, Latha

McNamara, Richard

Brown, Pamela

Shattuck, Gilman

Vann, Ivy

Williams, Kermit

**MERRIMACK**

Alicea, Caroletta

Bartlett, Christy

Bradley, Paula

Deloge, Helen

Hirsch, Geoffrey

Frazer, June

Karrick, David

Luneau, David

Rogers, Katherine

**ROCKINGHAM**

Cali-Pitts, Jacqueline

Cushing, Robert

Edgar, Michael

Lovejoy, Patricia

Gordon, Pamela

Prudhomme-O'Brien, Katherine

Sherman, Thomas

**STRAFFORD**

Cilley, Jacalyn

DiSesa, Len

Horrigan, Timothy

Spang, Judith

Stevens, Audrey

**SULLIVAN**

Converse, Larry

Oxenham, Lee

**NAYS - 274****BELKNAP**

Aldrich, Glen

Dumais, Russell

Tilton, Franklin

Fields, Dennis

Fisher, Robert

Flanders, Donald

Gallagher, Brian

Howard, Raymond

Hurt, George

Spanos, Peter

Sylvia, Michael

Fraser, Valerie

Vadney, Herbert

Varney, Peter

**CARROLL**

Avellani, Lino

Buco, Thomas

Chandler, Gene

Comeau, Ed

Cordelli, Glenn

Crawford, Karel

McCarthy, Frank

McConkey, Mark

Nelson, Bill

Parker, Harold

Schmidt, Stephen

Ticehurst, Susan

Umberger, Karen

Wright, Ted

**CHESHIRE**

Chase, Cynthia  
Mann, John  
Sterling, Franklin

Emerson, Susan  
McConnell, James  
Tatro, Bruce

Hunt, John  
Parkhurst, Henry  
Weber, Lucy

Roberts, Kris  
Sad, Tara

**COOS**

Fothergill, John  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Rideout, Leon

Theberge, Robert

**GRAFTON**

Almy, Susan  
Hennessey, Erin  
Higgins, Patricia  
Hennessey, Martha

Bailey, Brad  
Johnson, Eric  
Hull, Robert  
Nordgren, Sharon

Bennett, Travis  
Ford, Susan  
Ingbretson, Paul  
Piper, Wendy

Darrow, Stephen  
Gionet, Edmond  
Ladd, Rick  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Bouldin, Amanda  
Coffey, James  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Goley, Jeffrey  
Haefner, Robert  
Hogan, Edith  
Rice, Kimberly  
Lachance, Joseph  
Martel, Andre  
Murotake, David  
Long, Patrick  
Peterson, Ken  
Christie, Rick  
Rouillard, Claire  
Scoutsas, Lisa  
Souza, Kathleen  
Twombly, Timothy  
Wolf, Terry

Griffin, Barbara  
Biggie, Barbara  
Burt, John  
Cohen, Alan  
DiSilvestro, Linda  
Ferreira, Elizabeth  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Infantine, William  
Kurk, Neal  
LeBrun, Donald  
McClarren, Donald  
Murphy, Keith  
McCarthy, Peggy  
Pierce, David  
Ober, Russell  
Rowe, Robert  
Seidel, Carl  
Straight, Phillip  
Ulery, Jordan  
Woodbury, David

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Cornell, Patricia  
Eastman, Eric  
Flanagan, Jack  
Gargas, Carolyn  
Gould, Linda  
Hansen, Peter  
Jack, Martin  
Christiansen, Lars  
Manley, Jonathan  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Porter, Marjorie  
Walsh, Robert  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene  
Sullivan, Victoria  
Zaricki, Nick

Balcom, John  
Booras, Efstathia  
Christensen, Chris  
Sullivan, Daniel  
Edelblut, Frank  
Fromuth, Bart  
Gidge, Kenneth  
Goulette, William  
Hinch, Richard  
Jeu, Jean  
Ober, Lynne  
Marston, Dick  
Moore, Josh  
Ohm, Bill  
Pellegrino, Anthony  
Proulx, Mark  
Rosenwald, Cindy  
Schleien, Eric  
Snow, Kendall  
Smith, Timothy  
O'Brien, William

**MERRIMACK**

Turcotte, Alan  
McGuire, Dan  
French, Harold  
Hoell, J.R.  
Kotowski, Frank  
Martin, John  
Patten, Dick  
Shurtleff, Stephen

French, Barbara  
Doherty, David  
Henle, Paul  
Horn, Werner  
Kuch, Bill  
Moffett, Howard  
Ratzki, Mario  
Walsh, Thomas

Brewster, Michael  
Ebel, Karen  
Hess, David  
Kenison, Linda  
MacKay, James  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

Carson, Clyde  
Gile, Mary  
Hill, Gregory  
Kidder, David  
Marple, Richard  
Parent, Jason  
Schuett, Dianne

**ROCKINGHAM**

Christie, Andrew  
Azarian, Gary  
Berrien, Skip  
Cardon, G. Thomas  
DeSimone, Debra  
Elliott, Robert  
Fesh, Robert

Abrami, Patrick  
Baldasaro, Alfred  
Borden, David  
Cook, Allen  
Devine, James  
Emerick, J. Tracy  
Francese, Paula

Abramson, Max  
Barnes, Arthur  
Bush, Carol  
Thomas, Douglas  
Doucette, Fred  
Rice, Frederick  
Gannon, William

Allen, Mary  
Bates, David  
Cahill, Michael  
Dean-Bailey, Yvonne  
Duarte, Joe  
Ferrante, Beverly  
Green, Dennis

Guthrie, Joseph  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
True, Chris  
Weyler, Kenneth

Hagan, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Manning, John  
McMahon, Charles  
Pantelakos, Laura  
Tilton, Rio  
Tucker, Pamela  
Woitkun, Steven

Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Simpson, Alexis  
Vose, Michael

Heffron, Frank  
Ward, Joanne  
Griffin, Mary  
McBeath, Rebecca  
Osborne, Jason  
Potucek, John  
Sytek, John  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Graham, Robert  
Kaczynski, Thomas  
Mullen, John  
Southworth, Thomas

Berube, Roger  
Cheney, Catherine  
Gray, James  
Kaen, Naida  
Schmidt, Peter  
Treleaven, Susan

Bickford, David  
DeLemus, Susan  
Groen, Warren  
Turcotte, Leonard  
Pitre, Joseph  
Wall, Janet

Bixby, Peter  
Gardner, Janice  
Hannon, Joseph  
Leeman, Don  
Rollo, Deanna  
Wuelper, Kurt

### SULLIVAN

Schmidt, Andrew  
Grenier, James  
Smith, Steven

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
Rollins, Skip

and floor amendment (1240h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Victoria Sullivan spoke in favor and yielded to questions. Majority committee report adopted and ordered to third reading.

**SB 330-FN**, relative to licensure of medical imaging professionals and radiation therapists. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill establishes the Board of Medical Imaging and Radiation Therapy for the licensure and regulation of magnetic resonance technologists, nuclear medicine technologists, radiation therapists, radiographers, radiologist assistants, and sonographers. The committee heard testimony about the potential dangers and risks to patient health that could result from the practice of inadequately trained operators. This, coupled with a likely increase in the number of independent radiology clinics, led members to support this bill in order to ensure that appropriate training and continuing education are completed and that disciplinary action can be taken for unprofessional or unethical conduct. Vote 16-2.

Rep. Hannon spoke against.

Rep. Sherman spoke in favor and yielded to questions.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 213 NAYS 113**

### YEAS - 213

#### BELKNAP

Dumais, Russell

Tilton, Franklin

Fields, Dennis

Flanders, Donald

#### CARROLL

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Emerson, Susan  
Pearson, William  
Sterling, Franklin

Berch, Paul  
Ley, Douglas  
Robertson, Timothy  
Tatro, Bruce

Bordenet, John  
Mann, John  
Sad, Tara  
Weber, Lucy



**COOS**

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
White, Andrew

Bennett, Travis  
Ladd, Rick  
Piper, Wendy

Cooney, Mary  
Hennessey, Martha  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara  
Booras, Efstathia  
Cohen, Alan  
Flanagan, Jack  
Gargas, Carolyn  
Guerette, C. Lee  
Hinch, Richard  
Christiansen, Lars  
Mangipudi, Latha  
Long, Patrick  
Pierce, David  
Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

Backus, Robert  
Byron, Frank  
Cornell, Patricia  
Freitas, Mary  
Gidge, Kenneth  
Haefner, Robert  
Infantine, William  
LeBrun, Donald  
Manley, Jonathan  
McCarthy, Peggy  
Porter, Marjorie  
Rouillard, Claire  
Straight, Phillip  
Williams, Kermit

Balcom, John  
Christensen, Chris  
Sullivan, Daniel  
Smith, Gregory  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Takesian, Charlene  
Wolf, Terry

Beaulieu, Jane  
Roberts, Carol  
DiSilvestro, Linda  
Gagne, Larry  
Gorman, Mary  
Herbert, Christopher  
Judy, Jean  
O'Brien, Michael  
Brown, Pamela  
Peterson, Ken  
Walsh, Robert  
Shattuck, Gilman  
Smith, Timothy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Martin, John  
Ratzki, Mario  
Shurtleff, Stephen

Alicea, Caroletta  
Carson, Clyde  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

French, Barbara  
Deloge, Helen  
Henle, Paul  
Karrick, David  
Luneau, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew  
Berrien, Skip  
Cardon, G. Thomas  
Doucette, Fred  
Fesh, Robert  
Harris, Jeffrey  
Ward, Joanne  
Manning, John  
McMahon, Charles  
Pantelakos, Laura  
Sherman, Thomas

Abrami, Patrick  
Borden, David  
Cushing, Robert  
Edgar, Michael  
Francese, Paula  
Heffron, Frank  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Simpson, Alexis

Azarian, Gary  
Cahill, Michael  
Thomas, Douglas  
Elliott, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
Gordon, Pamela  
Prudhomme-O'Brien, Katherine  
Sytek, John

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Devine, James  
Ferrante, Beverly  
Hagan, Joseph  
Introne, Robert  
Major, Norman  
McKinney, Betsy  
Packard, Sherman  
Tilton, Rio  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Burton, Wayne  
Gardner, Janice  
Kaen, Naida  
Spang, Judith

Berube, Roger  
Cheney, Catherine  
Gray, James  
Schmidt, Peter  
Stevens, Audrey

Bickford, David  
Cilley, Jacalyn  
Horrigan, Timothy  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
DiSesa, Len  
Ward, Kenneth  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Rollins, Skip

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

**NAYS - 113****BELKNAP**

Aldrich, Glen  
Hurt, George  
Vadney, Herbert

Fisher, Robert  
Spanos, Peter  
Varney, Peter

Gallagher, Brian  
Sylvia, Michael

Howard, Raymond  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Tilton, Benjamin

Hunt, John

Roberts, Kris

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbretson, Paul

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Burt, John  
Edelblut, Frank  
Fromuth, Bart  
Hogan, Edith  
Martel, Andre  
Murphy, Keith  
Christie, Rick  
Scotsas, Lisa  
Twombly, Timothy  
Zaricki, Nick

Biggie, Barbara  
Coffey, James  
Edwards, Elizabeth  
Gould, Linda  
Rice, Kimberly  
McClarren, Donald  
Notter, Jeanine  
Ober, Russell  
Seidel, Carl  
Ulery, Jordan

Boehm, Ralph  
Danielson, David  
Estevez, Eric  
Goulette, William  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Victoria

Bouldin, Amanda  
Eastman, Eric  
Ferreira, Elizabeth  
Hansen, Peter  
Marston, Dick  
Murotake, David  
Palmer, Barry  
Schleien, Eric  
Souza, Kathleen  
O'Brien, William

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Parent, Jason

McGuire, Dan  
Horn, Werner

French, Harold  
Kuch, Bill

Hill, Gregory  
Marple, Richard

**ROCKINGHAM**

Abramson, Max  
Bush, Carol  
Duarte, Joe  
Green, Dennis  
Kolodziej, Walter  
True, Chris

Allen, Mary  
Cook, Allen  
Emerick, J. Tracy  
Hodgdon, Bruce  
Osborne, Jason  
Tucker, Pamela

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Rice, Frederick  
Kappler, Lawrence  
Potucek, John  
Welch, David

Bates, David  
DeSimone, Debra  
Gannon, William  
Katsakiores, Phyllis  
Gordon, Richard  
Weyler, Kenneth

**STRAFFORD**

DeLemus, Susan  
Kaczynski, Thomas  
Pitre, Joseph

Graham, Robert  
Turcotte, Leonard  
Whitehouse, Joshua

Groen, Warren  
Leeman, Don  
Wuelper, Kurt

Hannon, Joseph  
Mullen, John

**SULLIVAN**

Laware, Thomas

and the committee report was adopted and ordered to third reading.

Reps. McLean and Vose declared conflicts of interest and did not participate.

**SB 392**, relative to the special training licenses issued by the board of podiatry. **OUGHT TO PASS.** Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Podiatry to issue special training licenses to persons enrolled in an accredited residency program in NH. The committee heard testimony that this bill is needed to address the growing shortage of podiatrists in NH. Our neighboring states currently offer residency for a podiatrist in training, giving them an edge in the recruitment of these medical professionals and greater certainty of these individuals remaining in state to practice following their residency. The license established by this bill provides NH with the same advantage. Vote 11-2. Committee report adopted and ordered to third reading.

**SB 446**, relative to requirements of the state building code. **OUGHT TO PASS.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill adds a small provision to the statutes so that when the Building Code Review Board adopts new rules about the permit application process, the new rules are "reasonable." The committee heard testimony that some building inspectors have asked for extensive information during the application process and this slows down and or delays the issuance of permits. The only process in place to appeal is through the local zoning board and this could take a month or more creating real issues for getting a project started before a deadline. For example, if a permit is issued late enough in the fall to delay construction, it may not be possible to construct a foundation before the frost sets in. The balance of the process remains the same and the renovation or construction still needs to meet all necessary codes and still goes through the same inspection process, this bill just affects the ability to get the permit issued in a timely manner so construction can begin. Vote 9-6. Committee report adopted and ordered to third reading.

**SB 545**, proclaiming August as Cure all Cancer month. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Raymond Gagnon for the Majority of Executive Departments and Administration. The goal of this bill is to reinforce that an ounce of prevention is worth a pound of cure. The legislation serves as a tool in raising the public's attention in combating cancer. Testimony in support of this bill stressed how increasing the public's knowledge and awareness about cancer can have an effective impact and that statistics indicate enhanced education and awareness could reduce cancer by 50%. Proclaiming February as Cancer Prevention Month and February 4 as Cancer Prevention Day will complement federal cancer prevention efforts thus providing coordinated national, state and local efforts. Cancer prevention/education events provide added opportunities for anti-cancer groups to reach out to the general public. Lastly, this bill also recognizes August as Cure all Cancer Month in honor of the many people who have lost their lives to cancer or who are battling this dreaded disease. The rising incidence of cancer needs to be met with increased efforts both to implement prevention practices now and to find a cure as soon as possible. New Hampshire has demonstrated that it can be a leader in promoting cancer prevention and should do so with the passage of this legislation. Vote 9-8.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill as amended sets aside two different months and one particular day for cancer awareness. The minority applauds the purpose behind the bill and has no concerns regarding the desire to encourage people to live happier and healthier lives. The minority also has no concerns about promoting cancer awareness. However, we felt that this bill will not yield the intended results. The ED&A Committee sees a plethora of requests for special days and events and we felt that designating two months for this purpose would water down the message and in the end hurt the cause more than help it. The result of all of these requests is that every day will be a "special" day for some cause and then none of those days will be considered special as every day or month will be devoted to some cause and the importance of the individual issues will be lost in the noise.

### **Majority Amendment (1107h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Amend the bill by replacing sections 1 and 2 with the following:

1 Statement of Intent. The general court recognizes that October is Breast Cancer awareness month which is laudable. The general court further recognizes that there should be a focus on cancer prevention and finding a cure for all cancers and that having only one month for a specific

cancer may detract from many other deadly cancers. Therefore, the general court hereby proclaims February as cancer prevention month, February 4th as cancer prevention day, and August as Cure all Cancer month in honor of the many people who have lost their lives to cancer or who are battling cancer. The general court specifically dedicates this act to Tierra Brewster VanCise who lost her battle with lung cancer in October of 2010.

2 New Section; Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. Amend RSA 4 by inserting after section 13-u the following new section:

4:13-v Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. The governor shall annually proclaim February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month and shall urge cities and towns throughout the state to observe these dates in an appropriate manner in recognition of the thousands of citizens of this state affected by all types of cancer and the need for public awareness, research, and support for victims and their families.

#### AMENDED ANALYSIS

This bill proclaims February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 174 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and ordered to third reading.

#### BILLS REMOVED FROM THE CONSENT CALENDAR

**SB 498-FN**, relative to penalties for possession of certain controlled drugs. **OUGHT TO PASS.** Rep. David Welch for Criminal Justice and Public Safety. This bill is a result of a study of stakeholders such as law enforcement, public defenders, the courts and substance abuse organizations. They determined that reducing the penalty for possession of small amounts of marijuana and hashish to an unclassified misdemeanor with a minimum fine of \$500 would enable the court to treat first time offenders as a violation, enable substance abuse counseling or establish a criminal record based on the individual's conduct or record. Vote 13-0.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

**SB 460**, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph Boehm for Education. This bill authorizes the state board of education to adopt rules relating to preventing child sexual abuse and promoting healthy relationships. The amendment removes the terms child sexual abuse and healthy relationships and replaces it with the reference to existing law, RSA 169-C, which covers and defines sexual, psychological and physical child abuse. Vote 20-0.

#### Amendment (1196h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing the state board of education to adopt rules relative to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse **under RSA 169-C**, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

#### AMENDED ANALYSIS

This bill authorizes the state board of education to adopt rules relative to child abuse pursuant to the child protection act.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Ladd offered floor amendment (1241h).

**Floor Amendment (1241h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse *as established in the definition of "abused child" under RSA 169-C:3, II*, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

**AMENDED ANALYSIS**

This bill requires a school board to ensure that health and physical education as it relates to abused children is taught in schools.

Rep. Ladd spoke in favor.

Floor amendment (1241h) adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1270h).

**Floor Amendment (1270h)**

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, [especially] *including* physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse *under RSA 169-C*, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

Rep. Hoell withdrew floor amendment (1270h).

Majority committee report adopted and ordered to third reading.

**SB 441-FN**, relative to discounts and admission without charge at state parks. **OUGHT TO PASS.** Rep. John Mullen for Resources, Recreation and Development. The bill was brought forth to modify the Division of Parks and Recreation's ability to offer admission without charge to persons 65 years of age and older to state parks and other areas, and repeals a requirement for the division to issue discount coupon books for state parks in the summer months. The premise behind this bill is to resolve a conflict between two statutes. RSA 218:5-c describes who and what park activities shall provide those 65 years and older free admission to state parks, historical sites, beaches and state operated ski areas. RSA 216-A:3-g instructs the division to charge fees that are comparable with fees for use of similar privately owned ski and campground facilities and should be according to market conditions. In addition, the fees are to be used to offset expenses to maintain these state facilities and be able to adjust to market conditions. This bill gives the division the ability to set limited fees for those over 65 subject to approval of the Fiscal Committee. These fees would allow the division to ensure the continued operation and improvement of state parks, historical sites, beach and ski areas while not violating the intent of current legislation to not unfairly compete with private facilities. Vote 17-0.

Rep. Bailey spoke against.

Rep. Mullen spoke in favor and yielded to questions.

Rep. Horrigan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 171 NAYS 158**

**YEAS - 171**

**BELKNAP**

Dumais, Russell  
Hurt, George

Tilton, Franklin  
Sylvia, Michael

Fields, Dennis  
Vadney, Herbert

Flanders, Donald

**CARROLL**

Chandler, Gene  
Schmidt, Stephen

Comeau, Ed  
Umberger, Karen

Crawford, Karel

McConkey, Mark

**CHESHIRE**

Bordenet, John  
Mann, John  
Sterling, Franklin

Emerson, Susan  
McConnell, James  
Tatro, Bruce

Hunt, John  
Pearson, William

Ley, Douglas  
Shepardson, Marjorie

**COOS**

Fothergill, John

Tholl, John

Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Hull, Robert  
Piper, Wendy

Darrow, Stephen  
Ladd, Rick  
White, Andrew

Johnson, Eric  
Hennessey, Martha

Higgins, Patricia  
Maes, Kevin

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Coffey, James  
Ferreira, Elizabeth  
Gagne, Larry  
Haefner, Robert  
Rice, Kimberly  
LeBrun, Donald  
Murotake, David  
Brown, Pamela  
Pierce, David  
Rowe, Robert  
Straight, Phillip  
Wolf, Terry

Griffin, Barbara  
Boehm, Ralph  
Danielson, David  
Flanagan, Jack  
Gargas, Carolyn  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
McCarthy, Peggy  
Ober, Russell  
Scoutsas, Lisa  
Takesian, Charlene

Balcom, John  
Byron, Frank  
DiSilvestro, Linda  
Freitas, Mary  
Gidge, Kenneth  
Herbert, Christopher  
Christiansen, Lars  
McLean, Mark  
Notter, Jeanine  
Palmer, Barry  
Rosenwald, Cindy  
Seidel, Carl  
Ulery, Jordan

Beaulieu, Jane  
Christensen, Chris  
Edwards, Elizabeth  
Smith, Gregory  
Gould, Linda  
Hinch, Richard  
Ober, Lynne  
McNamara, Richard  
Ohm, Bill  
Pellegrino, Anthony  
Rouillard, Claire  
Simmons, Tammy  
Williams, Kermit

**MERRIMACK**

Bradley, Paula  
Ebel, Karen  
Hess, David  
Kenison, Linda  
MacKay, James  
Shurtleff, Stephen

Brewster, Michael  
Gile, Mary  
Hill, Gregory  
Kidder, David  
Marple, Richard  
Walsh, Thomas

McGuire, Dan  
French, Harold  
Hoell, J.R.  
Kotowski, Frank  
Martin, John

Deloge, Helen  
Henle, Paul  
Horn, Werner  
Luneau, David  
Moffett, Howard

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Thomas, Douglas  
Rice, Frederick  
Gannon, William  
Hoelzel, Kathleen  
Manning, John  
Packard, Sherman  
Schroadter, Adam  
Woitkun, Steven

Abrami, Patrick  
Bates, David  
DeSimone, Debra  
Ferrante, Beverly  
Green, Dennis  
Ward, Joanne  
Matthews, Carolyn  
Peckham, Michele  
Sherman, Thomas

Allen, Mary  
Berrien, Skip  
Devine, James  
Fesh, Robert  
Hagan, Joseph  
Katsakiores, Phyllis  
McKinney, Betsy  
Potucek, John  
Sytek, John

Azarian, Gary  
Cook, Allen  
Elliott, Robert  
Francese, Paula  
Heffron, Frank  
Major, Norman  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Vose, Michael

**STRAFFORD**

Baber, William  
Graham, Robert  
Kaen, Naida  
Schmidt, Peter  
Wuelper, Kurt

Bickford, David  
Gray, James  
Turcotte, Leonard  
Southworth, Thomas

Bixby, Peter  
Groen, Warren  
Leeman, Don  
Spang, Judith

Cheney, Catherine  
Kaczynski, Thomas  
Mullen, John  
Whitehouse, Joshua

**SULLIVAN**

Schmidt, Andrew  
Rollins, Skip

Gottling, Suzanne  
Smith, Steven

Grenier, James

Inwin, Virginia

**NAYS - 158**

**BELKNAP**

Aldrich, Glen  
Spanos, Peter

Fisher, Robert  
Fraser, Valerie

Gallagher, Brian  
Varney, Peter

Howard, Raymond

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Wright, Ted

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Parker, Harold

Cordelli, Glenn  
Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Robertson, Timothy

Ames, Richard  
Eaton, Daniel  
Sad, Tara

Tilton, Benjamin  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Parkhurst, Henry

**COOS**

Froborg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Sykes, George

Bailey, Brad  
Ford, Susan  
Townsend, Charles

Bennett, Travis  
Gionet, Edmond

Cooney, Mary  
Nordgren, Sharon

**HILLSBOROUGH**

Backus, Robert  
Roberts, Carol  
Eastman, Eric  
Goley, Jeffrey  
Hansberry, Daniel  
Judy, Jean  
Mangipudi, Latha  
Moore, Josh  
Proulx, Mark  
Schleien, Eric  
Smith, Timothy  
O'Brien, William

Booras, Efstathia  
Cohen, Alan  
Edelblut, Frank  
Gorman, Mary  
Hogan, Edith  
Lachance, Joseph  
Manley, Jonathan  
Long, Patrick  
Christie, Rick  
Shattuck, Gilman  
Twombly, Timothy  
Woodbury, David

Bouldin, Amanda  
Cornell, Patricia  
Estevez, Eric  
Goulette, William  
Hopper, Gary  
Leishman, Peter  
Martel, Andre  
Peterson, Ken  
Walsh, Robert  
Snow, Kendall  
Sullivan, Victoria  
Zaricki, Nick

Burt, John  
Sullivan, Daniel  
Fromuth, Bart  
Guerette, C. Lee  
Jack, Martin  
O'Brien, Michael  
McClarren, Donald  
Porter, Marjorie  
Sanborn, Laurie  
Souza, Kathleen  
Vann, Ivy

**MERRIMACK**

Turcotte, Alan  
Carson, Clyde  
Karrick, David  
Patten, Dick  
Schuett, Dianne

Alicea, Caroletta  
Doherty, David  
Kuch, Bill  
Ratzki, Mario  
Wallner, Mary Jane

French, Barbara  
Hirsch, Geoffrey  
Myler, Mel  
Rogers, Katherine  
Wheeler, Deborah

Bartlett, Christy  
Frazer, June  
Parent, Jason  
Saunderson, George

**ROCKINGHAM**

Abramson, Max  
Cahill, Michael  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Introne, Robert  
Griffin, Mary  
Gordon, Pamela  
Simpson, Alexis

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Doucette, Fred  
Guthrie, Joseph  
Kappler, Lawrence  
McBeath, Rebecca  
Pantelakos, Laura  
True, Chris

Borden, David  
Cardon, G. Thomas  
Duarte, Joe  
Harris, Jeffrey  
Kolodziej, Walter  
McMahon, Charles  
Gordon, Richard  
Tucker, Pamela

Bush, Carol  
Cushing, Robert  
Edgar, Michael  
Hodgdon, Bruce  
Lovejoy, Patricia  
Nigrello, Robert  
Tilton, Rio

**STRAFFORD**

Berube, Roger  
DiSesa, Len  
Ward, Kenneth  
Wall, Janet

Burton, Wayne  
Gardner, Janice  
Pitre, Joseph

Cilley, Jacalyn  
Hannon, Joseph  
Rollo, Deanna

DeLemus, Susan  
Horrigan, Timothy  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Oxenham, Lee

Converse, Larry

Gagnon, Raymond

Laware, Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

**RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 20, 2016 at 10:00 a.m.

**LATE SESSION****Third Reading and Final Passage**

**SB 25-FN**, relative to the administration of epinephrine.

**SB 312**, relative to epinephrine administration in independent schools.

**SB 314**, relative to the membership of the higher education commission.

**SB 316**, relative to placement decisions by a child's individualized education program team.

**SB 322**, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools.

**SB 328-L**, relative to school districts and school administrative units exercising joint powers with other public agencies.

**SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.

**SB 371**, relative to school lunch meal payment policies.

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

**SB 237-FN**, establishing a reporting requirement for gubernatorial inauguration contributions.

**SB 313**, relative to requirements for licensed estheticians.

**SB 332**, relative to state procurement of goods and services.

**SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.

**SB 397**, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission.

**SB 398**, relative to renewal of licenses issued by the board of funeral directors and embalmers.

**SB 400**, relative to executive branch ethics.

**SB 467-FN**, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

**SB 257-FN**, relative to membership in the judicial retirement plan of judges appointed at age 63 or older.

**SB 318**, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area.

**SB 378**, relative to the availability of net metering tariffs.

**SB 320**, relative to non-academic surveys administered by a public school to its students.

**SB 330-FN**, relative to licensure of medical imaging professionals and radiation therapists.

**SB 392**, relative to the special training licenses issued by the board of podiatry.

**SB 446**, relative to requirements of the state building code.

**SB 545**, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

**SB 460**, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.



### UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent of the House regarding memorial remarks for the former member from Amherst, the Honorable Carol Holden.

Rep. Notter addressed the House.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Amherst, the Honorable Carol Holden.

### MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Notter during Unanimous Consent be printed in the Permanent Journal.

Motion adopted unanimously.

### REMARKS

**Rep. Notter:** Thank you, Mr. Speaker. I would like to invite the Representatives who were involved with the Vesta Roy Series, or the Federation of Republican Women, to stand with me at the podium to remember and honor our friend, Commissioner Carol Holden. Mr. Speaker, when I first got involved with New Hampshire politics I felt a bit "star struck," I guess is the term, when I met elected officials. I was nervous the first time I met with Commissioner Holden. A television show called, "The Commish," came to mind while I was having coffee at a Dunkin Donuts, in Merrimack, with an actual commissioner. Somehow our conversation led to a discussion of passing the time while waiting in line at the grocery store. When Commissioner Holden told me that she also enjoys reading the tabloid headlines, I felt more at ease and began to realize that perhaps, just maybe, elected officials are also just regular people. This past Friday, April 1, 2016, Commissioner Carol Holden died peacefully at her home after a brief illness. The news left many of us shocked and saddened, especially for her husband, Don. I just saw Carol, what seems like, days ago. She was wearing one of her signature hats and looked just fine. Yesterday, at the viewing, I saw the hat before I noticed her family in the receiving line. I'm happy to report that Carol Holden went to her eternal rest sporting a pink straw hat with a good Republican elephant pin at the top. She looked like she was sleeping. Several of us knew Carol through Vesta Roy. Vesta Roy was the NH State Senate President when Governor Hugh Gallen died in office in 1982. Vesta succeeded him, making her the first female governor of NH. Her portrait is at the base of the stairs that leads to the Senate Gallery. The first female Speaker of the NH House of Representatives was Donna Sytek. Speaker Sytek was one of the founders of a political educational program called, "Vesta Roy Excellence in Public Service." Carol Holden was on the Vesta Roy Board of Directors and a mentor to several of us serving in the House today. We call ourselves, "Vesties." Sometimes we wear a specific gold star to identify ourselves. It was Carol who taught me to how to politic a room. She taught me the proper wording when asking for an endorsement. She stressed what is essential when running for office. And when things were not to her liking, she let me know. In addition to the Vesta Roy Series, Carol had a long history with the Federation of Republican Women. The National Federation is based in Washington, D.C. Each state has its own chapter. Carol is a past President. We have five federated groups in our state. I think she supported them all. When I was a club president, Carol was my parliamentarian. It was her job to make sure that I ran the meetings the way that Donna Sytek taught me to in Vesta Roy. Carol gave me booklet of notes on Robert's Rules for Parliamentary Procedure, to refer to as needed. Honestly though, if Carol was at one of our meetings, it was a lot easier to just look her way for a nod of approval than it was to look at my notes. A few weeks ago I was informed that as the current state president of the NH Federation of Republican Women, I had to fill the positions required by Nationals. Wasn't it just days ago that I received an email from Carol accepting the position of, you guessed it, Parliamentarian? Carol's obituary had a long list of Republican boards and activities that she ran or served. She was one of three commissioners for Hillsborough County. Merrimack was one of the towns in her district. She always marched in our 4<sup>th</sup> of July parade. She worked the Republican booth at county fairs and was always seen at various Republican events, the like the Federation's annual Lilac Luncheon. Did you know that she was related to President George

Bush? Yeah, both of them, #41 and #43. Carol is from the Walker branch of the family. We had coffee with Doro Bush this past December. For those who don't know, Jeb is not George W's only sibling. There is also Neil, Marvin, and Doro. When I introduced Carol to Doro, Doro called her "Cousin" for the rest of the visit. Carol held many offices. She was a NH State Rep from 1984-1997. She chaired and co-chaired committees and served as Assistant Majority Leader in her last two years. Female legislators are automatically members of the Order of the Women Legislators. I believe you know them by the term, "The OWLS." Sometime last fall I was browsing in the Capitol Visitor's Center. Debbie Rivers pointed to a stack of books on the floor, in the corner, that were being given away. She handed me one. I took it home and added it to a stack of books sitting on the floor, in the corner, of my room. It was a book about the OWLS. I didn't know what to do with it. At Christmas time, the Merrimack Town Republican committee had a fundraiser. Carol was there, because Carol went to most Republican meetings. When she saw the book on the table with giveaways and political literature, she asked me about it. When I told her that she could have it, I saw her face light up like I've never seen before. The book covered the years that she served in this House, and her name was in it. I will always remember how happy and pleased she looked that evening. I can't believe she is gone. Her friend, local photographer Glynis Citarelli, posted the following on Facebook: "Madam Commissioner, you truly wore many hats. A tireless public servant. Godspeed my dear friend." To that I'd like to add, "May her memory be eternal." Thank you, Mr. Speaker.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 12:20 p.m.

### RECESS

**(Rep. Barbara French in the Chair)**

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 527, 1145, 1438 and Senate Bills numbered 110 and 238.

Rep. Hinch, Sen. Prescott for the Committee

### SENATE MESSAGES

### CONCURRENCE

**HB 1116**, relative to net metering.

**HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws.

**HB 1197**, relative to conservation number plate funds.

**HB 1208-FN**, relative to administration of the tobacco tax.

**HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

**HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

**HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

**HB 1283**, relative to school notification of a change in placement.

**HB 1285**, relative to the donation of food that has passed its expiration date.

**HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee.

**HB 1665-FN**, adopting the interstate medical licensure compact.

### REFERRED FOR INTERIM STUDY

**HB 1689**, relative to operator requirements under the meals and rooms tax.

### RECESS

(Speaker Jasper in the Chair)

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 295, 536, 1171, 1199, 1315, 1355 and 1418.

Rep. Hinch, Sen. Prescott for the Committee

**ENROLLED BILL AMENDMENTS**

**HB 242**, relative to the statewide improvement and assessment program.

**Amendment (1291-EBA)**

Amend section 1 of the bill by replacing line 1 with the following:

1 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i) to Motion adopted.

**HB 1388-FN**, expanding crossbow use into muzzleloader season.

**Amendment (1316-EBA)**

Amend the title of the bill by replacing it with the following:

AN ACT expanding crossbow use into muzzleloader season.  
Motion adopted.

**REFERRAL DECLINED**

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies

**RECESS**

(Rep. Ladd in the Chair)

**ENROLLED BILL AMENDMENTS**

**SB 25-FN**, relative to the administration of epinephrine. (Amendment printed SJ 4/21/16)  
Motion adopted.

**SB 312**, relative to epinephrine administration in independent schools. (Amendment printed SJ 4/21/16)  
Motion adopted.

**SB 332**, relative to state procurement of goods and services. (Amendment printed SJ 4/14/16)  
Motion adopted.

**SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Amendment printed SJ 4/21/16)  
Motion adopted.

**SENATE MESSAGES****ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE**

**HB 427**, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1.

The President appointed Sens. Carson, Reagan and Soucy.

**HB 628-FN**, relative to indemnification of health care provider facilities under certain circumstances.  
The President appointed Sens. Sanborn, Carson and Kelly.

**CONCURRENCE**

**HB 535-FN**, relative to signs advising motorists approaching highway emergencies.

**HB 1181**, relative to designating an alternate cemetery trustee.

**HB 1220**, relative to disqualification of election officers.

**HB 1239**, relative to certain terminology in the education statutes.

**HB 1244-L**, relative to municipal cemeteries.

**HB 1289**, making technical corrections to certain tax laws.

**HB 1290**, relative to filing dates for business taxes.

**HB 1300**, relative to the content of patriotic exercises in public schools.

**HB 1497**, relative to the limits on disclosure of information used on college entrance exams.

**HB 1553-FN**, transferring the administration of the telecommunications accounting unit.

### NONCONCURRENCE

**HB 1313-FN**, relative to eligibility to vote and relative to availability of voter information.

**HB 1529-FN**, relative to reporting of felony convictions for voter checklist updates.

### LAID ON THE TABLE

**HB 1156**, relative to interference with traffic devices.

**HB 1247**, relative to poker in private residences.

### CONCURRENCE WITH AMENDMENTS

**SB 313**, relative to requirements for licensed estheticians.

**SB 400**, relative to executive branch ethics.

**SB 460**, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

### RECESS

**(Rep. Mangipudi in the Chair)**

### ENROLLED BILL AMENDMENTS

**HB 1116-FN**, relative to net metering.

#### Amendment (1443-EBA)

Amend section 2 of the bill by replacing line 1 with the following:

2 Public Utility. Amend RSA 362:2, II to read as

Motion adopted.

**HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws.

#### Amendment (1441-EBA)

Amend RSA 21-M:16, IV-a as inserted by section 7 of the bill by replacing lines 1-2 with the following:

*IV-a. For the purposes of this section, "vulnerable adult" means an adult who was the reported victim of abuse, neglect, self-neglect, or exploitation which was reported to*

Amend section 11 of the bill by replacing lines 2-3 with the following:

the term vulnerable in the following RSA sections: 161-F:42, 161-F:73, I, 639-A:1, III, and 639-A:2, II, III.

Motion adopted.

**HB 1197**, relative to conservation number plate funds.

#### Amendment (1408-EBA)

Amend section 4 of the bill by replacing line 2 with the following:

261:97-b Conservation Number Plate [Trust] Fund.

Motion adopted.

**HB 1208-FN**, relative to administration of the tobacco tax.

#### Amendment (1440-EBA)

Amend RSA 78:12-a, II as inserted by section 7 of the bill by replacing line 2 with the following: evidence tax paid under this chapter in this state to licensed wholesalers.

Motion adopted.

**HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

**Amendment (1433-EBA)**

Amend RSA 541-A:21, IX as inserted by section 3 of the bill by replacing line 2 with the following: the state highway aid program, adopted under rulemaking authority of the commissioner of the Motion adopted.

**HB 1283**, relative to school notification of a change in placement.

**Amendment (1389-EBA)**

Amend RSA 169-C:20-a, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. The department and school district shall develop a transition plan for the child. The Motion adopted.

**HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee.

**Amendment (1427-EBA)**

Amend section 1 of the bill by replacing line 2 with the following:

A:32, II(e) to read as follows:

Motion adopted.

**HB 1665-FN**, adopting the interstate medical licensure compact.

**Amendment (1407-EBA)**

Amend RSA 329-C:2, XII as inserted by section 1 of the bill by replacing it with the following:

XII. "Offense" means a felony, misdemeanor, or crime of moral turpitude.

Amend RSA 329-C:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The state of primary residence for the physician; or

Amend RSA 329-C:4, I(d) as inserted by section 1 of the bill by replacing line 1 with the following:

(d) If no state qualifies under subparagraph I(a), (b), or (c), the state designated as

Motion adopted.

**SB 330-FN**, relative to licensure of medical imaging professionals and radiation therapists. (Amendment printed SJ 4/14/16)

Motion adopted.

**RECESS****(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.

## HOUSE JOURNAL NO. 12

Wednesday, April 20, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Father Thom Duston, Pastor of St. Theresa's Parish in Henniker and Wing Chaplain of Pease Air National Guard Base.

Would you pray with me? Good and gracious God, You are the source of all life, and of our natural rights. Our ancestors recognized this in our state's constitution. They also acknowledged that when we come together in society, we must be willing to surrender up our rights to it for the protection of others. Lord God help us. Help us to appreciate the lives You have given us. Help us to acknowledge our natural rights and protect them for all. Help us to willingly sacrifice of ourselves for the good of others and of all. Lord bless each of us with the wisdom and courage we need to sacrifice for and serve well all citizens of our beloved state. Amen

Representative Sad, member from Walpole and Representative Haefner, member from Hudson, led the Pledge of Allegiance.

The National Anthem was sung by the member from Manchester, Representative Larry Gagne.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Pamela Brown, Bush, Comtois, Kellogg, Moody, Pantelakos, Parison, Phillips, Priestley, Rappaport, Ratzki, Russell, Sanders, Stevens, Tatro, Verschuere and Wright, the day, illness.

Reps. Andrew Christie, Cook, Deloge, DiSesa, Edwards, Fisher, Pamela Gordon, Ingbretson, Introne, Ley, McNamara, O'Neil, Oligny, Carol Roberts, Schleien, Timothy Smith, Tamburello, Varney and Thomas Walsh, the day, important business.

Rep. DeSimone, the day, illness in the family.

### INTRODUCTION OF GUESTS

Brendan Sica, student at Bishop Brady High School, Page for the day.

Allison O'Neil and students, guests of Representative Cordelli. The Honorable Sylvia Gale, former member from Nashua, and Catherine Sofikitis, guests of Representative Rosenwald. George and Phyllis Weimann, Uncle and Aunt of Representative Ticehurst. David Woolpert, guest of Representatives Hirsch and Barbara French. Roger Dontonville, guest of Representative Piper. Susan McKevitt, guest of Representative Irwin. Chris Heath, Master of the state Grange, and members of the state Grange; Bob and Jane Trombi, Josie Best, Esther Herrick and Andrew Savage, guests of Representative Haefner. The Honorable Carolyn Brown, former member from Conway, Jim Umberger, husband of Representative Karen Umberger, and John Edgerton, guests of the Mount Washington Valley Representatives.

### SENATE MESSAGES

#### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 231**, relative to the criteria for evaluating school building aid applications. (Amendment printed SJ 3/31/16)

Reps. Ladd and Kurk moved that the House concur and spoke in favor.

Rep. Ladd spoke in favor.

Motion adopted.

**HB 1121**, relative to the academic areas that comprise the statewide assessment. (Amendment printed SJ 4/7/16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

**HB 1164**, relative to contributions by a city or town to the county or state. (Amendment printed SJ 4/14/16)  
Rep. James Belanger moved that the House concur and spoke in favor.  
Motion adopted.

**HB 560-FN**, including a viable fetus in the definition of “another” for the purposes of certain criminal offenses. (Amendment printed SJ 1/14/16)  
Rep. Tholl moved that the House nonconcur and spoke in favor.  
Motion adopted.

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 242, 1388, 1397 and 1419 and Senate Bill numbered 318.

Rep. Hinch, Sen. Prescott for the Committee

### CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day’s House Record be adopted.

**SB 466-FN**, relative to the detention of a minor while waiting for the disposition of his or her case, removed by Rep. Lynne Ober.

**SB 465-FN**, relative to the nonconsensual dissemination of private sexual images, removed by Rep. Lynne Ober.

**SB 418**, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws, removed by Rep. Hoelzel.

**SB 481-FN**, relative to a special health care service license and establishing a fund, removed by Rep. Dan McGuire.

**SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants, removed by Rep. Hinch.

**SB 496-FN**, relative to personal care attendant services, removed by Rep. Hinch.

**SB 535-FN-A**, establishing a grant program for high schools for heroin and opiate prevention education, removed by Rep. Duane Brown.

Consent Calendar adopted.

**SB 543-FN**, relative to private transferring of adopted children. **OUGHT TO PASS.**

Rep. Carolyn Gargasz for Children and Family Law. This bill prohibits unauthorized advertising for adoption purposes. This especially is of concern for ads through the Internet. It also prohibits transfer of a child through a power of attorney document without going through the state adoption process. Vote 13-0. Referred to the Committee on Judiciary.

**SB 450**, relative to investments by insurance companies. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill replaces some of the existing life insurance and property and casualty insurance investment statutes with the latest National Association of Insurance Commissioners’ (NAIC) model language. It applies general principles and sets specific investment standards appropriate to those insurers. Investments made by insurers are critical to their solvency and are highly regulated. The New Hampshire Insurance Department is required to “require a diversified investment portfolio for all domestic insurers both as to type and issues and include a requirement for liquidity” as part of the NAIC’s accreditation process. Vote 18-2.

**SB 488-FN-L**, relative to breastfeeding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. As introduced in the Senate, this bill required employers to provide reasonable accommodations to women who are breastfeeding and included a provision exempting nursing mothers from jury duty. Prior to passage, the Senate amended this bill by adopting a House Commerce Committee amendment to a similar bill, that was retained in the committee last year. This similar bill, SB 219, was tabled in the House in January. After a long subcommittee work session, the House Commerce Committee, with a strong bipartisan majority (18-2), amended this bill to establish an Advisory Council on Lactation. The council’s duties are to consider the goals of the Office of the Surgeon General and the US Breastfeeding Committee and to examine best practices in New Hampshire for, not only breastfeeding, but also expressing breast milk at work. The advisory council is required to file an interim report by November 1, 2016 and a final report by December 1, 2017. Vote 19-1.

**Amendment (1372h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing an advisory council on lactation.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Advisory Council on Lactation. Amend RSA 275 by inserting after section 75 the following new subdivision:

**Advisory Council on Lactation**

275:76 Advisory Council on Lactation.

I. There is hereby established an advisory council on lactation. The advisory council shall consider the goals of the United States Surgeon General and the United States Breastfeeding Committee. The advisory council shall be comprised of, but not limited to:

(a) One member of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the senate president.

(c) The commissioner of the department of labor, or designee.

(d) A representative from the women, infants, and children program (WIC), appointed by the commissioner of the department of health and human services.

(e) A certified midwife, appointed by the midwifery council established in RSA 326-D:3.

(f) A member of the New Hampshire Business and Industry Association, appointed by the association.

(g) The president of the New Hampshire Breastfeeding Rights Coalition, or designee.

(h) The chairperson of the New Hampshire Breastfeeding Task Force, or designee.

(i) A hospital administrator from a certified baby-friendly hospital, appointed by the governor.

(j) A transportation representative, appointed by the governor.

(k) A currently breastfeeding mother, appointed by the governor.

(l) An attorney with experience in human rights issues, appointed by the New Hampshire commission on human rights.

II. The advisory council may examine best practices in New Hampshire, including but not limited to the Baby Friendly Hospital Initiative, Family and Sick Leave, Childcare Trainings on Breastfeeding, Milk Banks, Lactation Spaces in Public Accommodations, and the World Health Organization's International Code of Marketing of Breastmilk Substitutes.

III. Legislative members shall receive mileage at the legislative rate while attending to the duties of the commission.

IV. The advisory council may meet as often as necessary to effectuate its goals and meetings may be held by conference call. A minimum of 3 meetings per year shall be open to the public.

V. The advisory council shall make an interim report commencing on November 1, 2016 and a final report on December 1, 2017 on its activities and findings, together with any recommendations for proposed legislation, to the president of the senate, the speaker of the house of representatives, and the governor.

2 Repeal. RSA 275:76, relative to an advisory council on lactation, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect December 1, 2017.

II. The remainder of this act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill establishes an advisory council on lactation.

Referred to the Committee on Judiciary.

**SB 468-FN**, relative to changes to the sex offender registry. **OUGHT TO PASS WITH AMENDMENT.** Rep. Robert Cushing for Criminal Justice and Public Safety. In March of 2015 the New Hampshire Supreme Court ruled in the case of John Doe v. State of New Hampshire that a group of sex offenders convicted of crimes before the sex offender registry was created in 1992 and placed on the registry as a Tier III offender had been denied their right to due process to have their names removed from the registry. The court ruled that a group of convicted sex offenders who were not aware at the time of their conviction that they would be placed on the sex offender registry were entitled to petition to have their names removed from the registry altogether if they could prove that they were no longer a risk to the public. The court left it



to the legislature to determine how to assess the dangerousness of this group before allowing them to be removed from the registry. This bill establishes a procedure that will improve public safety for all New Hampshire residents by utilizing an effective risk assessment to ensure that the current danger of an offender is assessed. It also ensures that the victims of these serious offenders have notice that their victimizer is attempting to come off the sex offender registry and provides the opportunity for the victim to have input into this decision. This amended bill was supported by the Coalition Against Domestic and Sexual Violence, the New Hampshire Civil Liberties Union, and the Attorney General. Vote 19-0.

#### **Amendment (1232h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6, III(a)(1) to read as follows:

(1) *Except as provided in paragraph V*, all tier III offenders shall remain on the public list contained in RSA 651-B:7 for life.

2 New Paragraph; Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6 by inserting after paragraph IV the following new paragraph:

V.(a) Any tier II or tier III offender who was convicted prior to the establishment of the sex offender registry may petition the court to be relieved from the registration requirements under this chapter. The petition shall include the petitioner's current address and information about each conviction for which he or she is required to register, including the nature of the offense, the sentence imposed, and the court and the jurisdiction in which the petitioner was convicted. The petition shall be accompanied by a certified copy of the petitioner's criminal history record from each jurisdiction in which he or she is required to register. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence, including any period of supervised release. The petition shall also be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense, which indicates that the petitioner is not a danger to the public and no longer poses a risk sufficient to justify continued registration. The petition shall be filed in the county where the most recent predicate conviction occurred, except if the most recent predicate conviction occurred in another state or jurisdiction, the petition shall be filed in the county where the petitioner resides. Such petition shall not be filed as or addressed as part of a criminal case.

(b) Prior to granting any petition to relieve an offender from the registration requirements under this chapter, the court shall hold a hearing on the petition. The court shall provide notice of the hearing at least 60 days prior to the hearing to the county attorney, the department of safety sex offender unit, and the department of corrections. The county attorney shall use reasonable efforts to notify the victim or victim's family. The court shall permit those parties to be heard on the petition. The victim may appear personally, or through a representative, or may provide a written statement expressing his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim when making a decision regarding the petition.

(c) The court may grant the petition if the offender has not been convicted of any subsequent offense requiring registration, has successfully completed any period of supervised release, probation, or parole, has successfully completed an appropriate sex offender treatment program as determined by the court, and has demonstrated that he or she is no longer a danger to the public and no longer poses a risk sufficient to justify continued registration. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.

3 Registration of Criminal Offenders; Hearing. Amend RSA 651-B:10, I to read as follows:

I. Any offender required to register for an offense committed in another state, country, territory, or tribal territory, or under federal law that is determined to be a reasonably equivalent offense to an offense listed *in* RSA 651-B:1, V(a) or RSA 651-B:1, VII(a) or (b) may appeal that determination to the commissioner. The offender shall, within 10 days of notification, request a hearing on the matter before the commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. ~~[The offender]~~ *Either party* shall have the right to appeal the commissioner's decision in superior court.

4 Effective Date. This act shall take effect upon its passage.

**SB 475-FN**, requiring law enforcement agencies to file crime reports with the department of safety. **OUGHT TO PASS.**

Rep. John Martin for Criminal Justice and Public Safety. This bill would require all law enforcement agencies in the state to file reports in accordance with the FBI's Uniform Crime Reporting Program. Currently, there are 53 localities that do not report this information. Only nine of those localities do not have the records management system to comply with this requirement. The bill states that those agencies will have the means to report provided to them by the Department of Safety, eliminating any prohibitions under Part I, Article 28-a of the NH Constitution. Currently, the state is spending millions of dollars in the face of the opioid crisis and these 53 agencies are not reporting data which could be used in assessing the effectiveness of these new expenditures. This bill closes a hole in the reporting system and adds to the database reporting the effectiveness of state spending. Vote 16-3.

**SB 517-FN**, increasing the amount deducted from a fine for each day of a person's incarceration. **OUGHT TO PASS.**

Rep. David Welch for Criminal Justice and Public Safety. This bill increases the amount credited to a fine when the defendant is incarcerated for non-payment of a fine. The amount of jail time is reduced and therefore the county and county taxpayers are well served. Currently the amount to be deducted is \$50 per day, and this bill increases the amount to \$150 per day. Vote 13-0.

**SB 326**, relative to the membership of the community college system of New Hampshire board of trustees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Elliott for Education. This bill adds an employee to the Community College System of New Hampshire Board of Trustees. The bill further establishes a process by which 3 employees, other than personnel on the system leadership team (SLT), are elected to a slate of three potential candidates from which the Governor selects on for consent of the council. Community College leadership and employees support this bill as it strengthens system participation, communication and transparency. Lastly, the bill contains a "conflict of interest" clause. Vote 19-0.

**Amendment (1353h)**

Amend RSA 188-F:4, II(1) as inserted by section 1 of the bill by replacing it with the following:

(1)(1) One member shall be an employee of the community college system of New Hampshire. Such trustee position shall rotate among the institutions within the community college system of New Hampshire, proceeding in alphabetical order beginning with the college that is first alphabetically. The institutions within the community college system of New Hampshire, through an election at all-college/institutional forum, shall nominate a slate of 3 employees, that shall not include members of the community college system leadership team (SLT), whose names shall be forwarded to the governor who shall choose one for the nomination. The employee-trustee shall serve a 2-year term. In the event the employee-trustee is unable for any reason to serve the entire term, the chairman of the board of trustees shall declare a vacancy in that employee-trustee position. Upon expiration or vacancy of such term, the next institution in order shall nominate a slate of 3 employees, not to include a member of the SLT, whose names shall be forwarded to the governor for consideration.

(2) For purposes of this paragraph, "community college system leadership team (SLT)" means and is comprised of the chancellor, vice chancellor, president of each community college, and the chancellor's senior staff associated with statewide policy and operational coordination as identified in the handbook for administrative, managerial, professional and operating support staff exempt from the collective bargaining process, as approved by the community college system of New Hampshire board of trustees.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Paragraph; Conflict of Interest. Amend RSA 188-F:4 by inserting after paragraph VII the following new paragraph:

VIII. Board members shall not be eligible to participate in a vote when the board member has recused himself or herself from participation because he or she has a pecuniary or personal interest or other conflict of interest.

**AMENDED ANALYSIS**

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire.

This bill also requires members of the community college system of New Hampshire board of trustees to recuse themselves from voting when there is a conflict of interest.

**SB 353**, relative to names on ballots. **OUGHT TO PASS.**

Rep. William Gannon for Election Law. This bill seeks to level the playing field so that all names on the ballot receive no undue preference due to one candidate using a change in font, capitalization, or other means to make his name stand out, making its' appearance inconsistent with that of the names around him. Vote 17-0.

**SB 456-FN**, relative to reporting of receipts and expenditures by candidates and candidate committees. **OUGHT TO PASS.**

Rep. William Gannon for Election Law. This bill amends the process for reporting of receipt and expenditures by candidates and candidate committees by authorizing an electronic system for uploading reports to the Secretary of State's website. This will simplify and expedite this administrative process. Vote 17-0.

**SB 121-FN-L**, relative to exceptions from the land use change tax for removal of certain materials. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Environment and Agriculture. The committee heard compelling and extensive testimony on this bill. It appears to have been introduced to address a specific situation, but could have unintended consequences. This bill was written to address an individual's request who wanted to sell material from his land now in current use, but did not want to incur a land use change tax event. It was agreed by the committee that the current use law is quite specific and that the landowner gets a large tax credit in exchange for agreeing to the current use restrictions. Both the NH Municipal Association and the NH Farm Bureau are opposed to this bill. Vote 14-0.

**SB 345**, relative to the definition of agritourism. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John O'Connor for Environment and Agriculture. This bill, as amended, corrects an ambiguity in the statutory definition of agriculture that currently does not include agritourism. The term "agritourism," to be defined by the bill within the definition of agriculture in RSA 21:34-a, II(b) (5), means to attract visitors to a farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm, all of which are considered accessory uses to the primary farm operation. As the result of the recent Supreme Court ruling which pointed out the ambiguity within the law, a roundtable of stakeholders, including NH Municipal Association, legislators, the Department of Agriculture, Markets and Food, and the NH Farm Bureau, among others, spent months developing this legislation which is a reasonable balance between competing interests and will preserve local control. The bill will allow our farmers to contribute to both the economic viability and long-term sustainability of our New Hampshire farms. Vote 13-0.

**Amendment (1286h)**

Amend RSA 21:34-a, II(b)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) The marketing or selling at wholesale or retail, ~~[on-site and off-site, where permitted by local regulations,]~~ *of any products from the farm, on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.*

**SB 415**, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Bixby for Environment and Agriculture. This bill would have added a requirement for hydration for domestic animals to statute, and would have created a committee to study harmful weather conditions for dogs. Current law requires that sustenance be provided, which includes hydration, making this change in law redundant. The Governor's Commission on the Humane Treatment of Animals has studied and continues to study all aspects of animal welfare and provides a manual of standards and training for local police. A study committee is unnecessary. We also heard testimony that the variability in dog breeds and acclimatization makes it impossible to develop a blanket statement concerning weather that is harmful to dogs. Vote 14-0.

**SB 524**, relative to state procurement card rebates. **OUGHT TO PASS.**

Rep. Jean Jeudy for Executive Departments and Administration. This bill removes a reference from RSA 9-D:2 that permitted a portion of state procurement card rebates be used to reduce the unfunded liability of the NH Retirement System. It also corrects a problem created by an amendment added to SB 191 last year that provided for the deposit of such rebates in the general fund. Vote 16-0.

**SB 323**, relative to the use of force by employees of hospitals or other health care facilities. **OUGHT TO PASS.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill adds hospitals and health care facilities to an existing statute which authorizes the use of force by persons with special responsibilities. It allows an authorized hospital employee to use non-deadly force when it is reasonably believed to be necessary to maintain decorum or safety, and allows deadly force only when reasonably believed to be necessary to prevent death or serious bodily injury. The bill is critically necessary because of the number of violent situations which occur in health care settings. The committee heard testimony that hospital security personnel employees must undergo rigorous hospital specific training programs. Vote 16-0. Referred to the Committee on Criminal Justice and Public Safety.

**SB 417**, relative to employment contract restrictions upon physicians. **OUGHT TO PASS.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill eliminates non-compete clauses in physician contracts to the hospital. Non-compete clauses limit competition and when a physician leaves a hospital, or practice they have to leave their patients without their doctors. With the MD shortage in the state, more physicians may be enticed to move to New Hampshire if they do not have to commit to a non-compete. Doctors can be an important person to their patients once relationships are formed and this can be devastating to a patient when the doctor is forced to move out of town. Vote 19-0. Referred to the Committee on Commerce and Consumer Affairs.

**SB 420-FN**, relative to aid to the permanently and totally disabled. **OUGHT TO PASS.**

Rep. Mary Freitas for Health, Human Services and Elderly Affairs. This bill ensures that applicants who have been denied eligibility for cash assistance as part of aid to the permanently and totally disabled be treated in the same manner as persons who were terminated. The bill also authorizes the Department of Health and Human Services to adopt rules relative to the continuation of cash assistance pending appeal of a termination or denial decision. Vote 12-0. Referred to the Committee on Finance.

**SB 427**, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. **OUGHT TO PASS.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. The committee heard considerable testimony regarding this matter and all agreed a study to determine best practice was warranted. Vote 15-0.

**SB 193-FN-L**, establishing a committee to study the duties of the attorney general and the county attorneys. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Heffron for Judiciary. The committee heard testimony that the office of the attorney general meets regularly with all county attorneys in a collegial manner to discuss their respective responsibilities in criminal cases. Accordingly, the committee concluded that it is not necessary to establish a study committee. Vote 17-0.

**SB 341**, establishing a committee to study guardianship in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Kenison for Judiciary. Regulations differ for court appointed public versus private guardians, raising questions regarding caseloads, compensation, jurisdiction, and requirements for becoming a guardian. These and other related issues are in need of review and will be studied under this bill. Vote 16-1.

**Amendment (1281h)**

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Four members of the house of representatives, one of whom shall be a member of the children and family law committee, 2 of whom shall be members of the judiciary committee, and one of whom shall be a member of the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.

Amend the bill by replacing sections 3 and 4 with the following:

3 Duties. The committee shall study guardianship in New Hampshire to determine:

I. Whether guardians should be registered and licensed by the state.

II. Who should have jurisdiction over guardians.

III. The number of guardians in New Hampshire and how the work of a private guardian differs from that of a public, court appointed guardian.

IV. The requirements, if any, for someone to become a guardian.

V. Whether New Hampshire should adopt, or adopt with amendment, the National Guardianship Association Standards of Practice.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

**SB 352**, naming a cove in Lake Winnepesaukee as Ritson Cove. **OUGHT TO PASS.**

Rep. Ted Wright for Resources, Recreation and Development. Currently unnamed, this bill would name a cove at the south end of Governor's Island in Gilford after Ted Ritson who built a camp on the site in 1938. Over the last several decades, several generations of the Ritsons have been active in local conservation efforts and other community service. In particular, Ted Ritson, who died eight years ago, was very involved in water quality protection in the area. The committee feels this is a fitting tribute and, according to testimony, neighbors are in agreement. Vote 17-2.

**SB 374**, requiring the department of environmental services to update coastal flooding trends. **OUGHT TO PASS.**

Rep. Frederick Rice for Resources, Recreation and Development. The Coastal Risks and Hazards Commission recommended that their final report be updated every five years by collecting data on coastal flooding trends. Since the Department of Environmental Services was deeply involved in preparing the report and is familiar with the information involved, it is the most appropriate agency to perform this function and is therefore given this responsibility by the bill. Data will be used to update regional plans to protect the seacoast from damage due to storm surge, sea level rise, or flooding. Vote 19-0.

**SB 375**, establishing the coastal marine natural resources and environment commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frederick Rice for Resources, Recreation and Development. One of the requirements of the Coastal Risks and Hazards Commission, which expires at the end of this year, is to recommend rules and regulations that will protect New Hampshire's coastal resources. In order to do this, data must be collected on a periodic basis to determine what steps must be taken. This bill forms a commission that will review the data collected and make further recommendations to the legislature and Governor on an annual basis for actions to be taken. The amendment adds sedimentation as a concern to be monitored by the commission. Vote 17-0.

#### **Amendment (1204h)**

Amend RSA 485-F:3 as inserted by section 1 of the bill by replacing it with the following:

485-F:3 Duties. The commission shall:

I. Investigate, monitor, and propose prevention and mitigation strategies for emerging environmental threats in coastal and Great Bay waters, including but not limited to warming of waters, ocean acidification, sedimentation, and nutrient loading, which impact fish, shellfish, and the food chain thereof.

II. Identify gaps and recommend improvements in water quality monitoring, including monitoring pH and evaluating its impact on the impaired waters designation of water bodies.

III. Recommend strategies for enhancing capacities for improving water quality.

IV. Examine the Blue Carbon credit program for sea grass promotion and oyster bed restoration.

V. Report annually on November 1 to the chairs of the house and senate committees with jurisdiction over issues affecting coastal marine resources and the environment, the senate president, the speaker of the house, and the governor.

**SB 461-FN**, relative to expenditures of the Winnepesaukee River Basin control program funds. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill expands the purposes for which the Winnepesaukee River Basin Program funds collected from local member communities may be expended to include authority to fund studies to improve its operations. Vote 17-0.

**SB 484**, relative to the role of the Winnepesaukee River advisory board. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill requires the Winnepesaukee River Advisory Board, which is composed of appointees from the towns and cities whose sewage is processed by the Winnepesaukee River Basin Program, to make a recommendation to the Governor and Council on each request for a contract to plan, design or construct capital improvements under RSA 485-A:49. Vote 17-0.

**SB 309**, relative to sulfur limits of certain liquid fuels. **OUGHT TO PASS.**

Rep. Glen Aldrich for Science, Technology and Energy. This bill will lower sulfur limits of certain fuels in New Hampshire to levels already adopted by all of the other New England states. Passing this bill not only helps the environment but our constituents as well. Oil burners that use low sulfur content fuel do not need to be cleaned as often. The Oil Heat Council of NH requested and supports this legislation. Vote 16-0.

**SB 321**, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. Only four towns in New Hampshire distribute their own electricity. This bill would require the Public Utilities Commission to make a one-time incentive payment to churches in those towns that install solar panels. Electricity users in those four towns do not contribute any funds to the Renewable Energy Fund, so the committee felt the churches should not be eligible to receive benefits from it. Vote 18-0.

**SB 377**, relative to emission levels of municipal waste combustion units. **OUGHT TO PASS.**

Rep. David Murotake for Science, Technology and Energy. This bill lowers the limits on certain emission levels of municipal waste combustion units. The bill amends RSA 125-C:10-a by placing new limits of emissions for municipal waste combustors of rated capacity between 35-250 tons of solid waste per day. Pollutants limited include particulate matter, cadmium, lead, mercury, sulfur dioxide, hydrogen chloride and dioxins. This change should improve the health of people and animals living near municipal waste combustors and reduce damage to the state's environment. Vote 17-0.

**SB 357**, relative to driver's license examinations. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. This bill adds specific items to be included in driver's license examinations covering changes to New Hampshire traffic law, driver road knowledge, and safety. These items are already in the examination and are being added to the statute. In addition to protecting drivers from tickets this will qualify NH for federal safety grants. Vote 13-2.

**SB 359**, relative to funding electric vehicle charging stations with municipal registration permits. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill simply adds electric vehicle charging stations to the list of allowed projects that can be funded using the municipal and transportation improvement fund. Electric vehicles will start becoming more popular. Vote 14-0.

**SB 362**, requiring notice to planning boards of placement of signs on scenic byways. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill simply requires the Department of Transportation to notify local planning boards of plans to add traffic signs in the state's historic and scenic areas. Testimony given mentioned new technology and requirements for road curve signs that spurred this change. Vote 15-2.

**SB 519**, relative to highway signs. **OUGHT TO PASS.**

Rep. Gladys Johnsen for Transportation. Essential motorist service signs regarding food, fuel, and attractions are permitted within limited distances on limited access highways. This bill extends the permissible zone from the Massachusetts border to Concord, and north of Concord on I-93 and I-89. Vote 17-0.

**SB 343**, establishing a commission to study apportionment of gross business profits under the business profits tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Gallagher for Ways and Means. This proposal establishes a commission to study apportionment of gross business profits under the Business Profits Tax (BPT). Testimony highlighted the need for examination of our BPT apportionment factors as other states shift to systems that negatively impact New Hampshire based businesses engaged in cross-border commerce. The amendment increases the number of House members on the committee from 2 to 3. Vote 20-0.

#### **Amendment (1275h)**

Amend RSA 77-A:22, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

**SB 344-FN**, relative to tax credits applicable to client companies of employee leasing companies. **OUGHT TO PASS.**

Rep. Brian Gallagher for Ways and Means. This bill clarifies the application of business tax credits based on employment to client companies of employee leasing companies. This bill is a result of work done last year which allowed companies utilizing the employee leasing model to be able to use the Business Enterprise Tax (BET) credit allowed against the Business Profits Tax (BPT) liability. This proposal addresses a language issue identified by the Department of Employment Security for a credit for taxes to cover unemployment. This language also fixes an oversight relating to the application for credits in calendar or fiscal years. The Department of Revenue Administration worked with the Department of Employment Security to create a solution. All New Hampshire companies using leasing companies will be able to use the credit for BET they pay starting January 1, 2016. Vote 20-0.

**SB 442-L**, establishing a commission to study the taxability of lease interests in public property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. This bill calls for a commission to study taxability of lease interests in public property. The committee agrees that this commission is required to develop suggested changes that would be uniform and fair and that could become the basis of future legislation. In section IV, the committee amended the bill to have the Senate member call the first meeting of the commission rather than the first named House member. Vote 18-2.

#### **Amendment (1289h)**

Amend RSA 72:79, II as inserted by section 1 of the bill by replacing it with the following:

II. The members of the commission shall be as follows:

- (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of revenue administration, or designee.
- (d) One representative of the New Hampshire Municipal Association, appointed by the association.
- (e) One representative of the New Hampshire Association of Assessing Officials, appointed by the association.

Amend RSA 72:79, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

**SB 552-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. **REFER FOR INTERIM STUDY.**

Rep. Robert Nigrello for Ways and Means. The committee has heard multiple bills this session dealing with the application of the United States Internal Revenue Code of 1986 applicable to the Business Profits Tax, subject to certain adjustments. NH business tax limits for 179(a) capital deductions (\$25,000) and the gap between the recently passed increase in the Federal Internal Revenue Code (\$500,000) 179(a) deductions are important to our business community. The unanimous vote of the Ways and Means Committee was to do additional work on SB 239, one of the similar bills already in committee, and place this

bill in interim study. Both SB 552 and SB 239 and the already passed HB 668 seek to increase the NH capital deduction for business and seek to have the Department of Revenue file a report informing the House and Senate of changes to the United States Internal Revenue Code, related Treasury regulations, and administrative rulings which would impact New Hampshire. Vote 20-0.

### REFERRAL DECLINED

Rep. Rowe, Chairman of the Committee on Judiciary, under the provisions of House Rule 46 (f), declined the referral of **SB 488-FN-L**, establishing an advisory council on lactation, and **SB 543-FN**, relative to private transferring of adopted children.

### REGULAR CALENDAR - PART I

**SB 515-FN**, relative to child neglect and other changes to the child protection act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: SPEDIENT TO LEGISLATE.**

Rep. Frank Edelblut for the Majority of Children and Family Law. Under current law, the definition of a neglected child is one who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for physical, mental or emotional health, when it is established that health has suffered or is very likely to suffer serious impairment. This bill as amended creates, as a probable cause circumstance, to initiate an investigation of possible neglect because of an opioid abuse or dependence. This probable cause provides parental protections of a rebuttable presumption and participation in treatment for such dependence is a legitimate reason for rebuttal. There is no provision in this bill regarding prenatal care. Currently, this issue is being addressed by hospitals developing best practices procedures. This bill is specifically targeting the opioid crisis even though the committee recognizes there are other harmful drugs. The Division of Children, Youth and Families (DCYF) is flexible about treatment, especially where there is a scarcity of treatment; for example, there are Family Resource Centers and Licensed Alcohol and Drug Counselors in each county. There is a sunset provision in the bill of July 2020. Vote 11-3.

Rep. Elizabeth Ferreira for the Minority of Children and Family Law. Although the minority recognizes the good intentions behind the bill, significant concerns were raised during the public hearing about unintended consequences if the bill were to become law. OB/GYN doctors and nurses, as well as educators and advocates working against addiction, testified that the bill would discourage pregnant women with substance use disorder from seeking prenatal treatment. For example, a pregnant woman in recovery who slipped back into drug use might not be forthcoming with her health care provider about the relapse, or might avoid prenatal checkups altogether, to avoid legal consequences. This would endanger her unborn child. Some experts questioned why the bill was limited to opioids, and why the use of other substances would not also be considered neglect. In their view, this would create an incentive to use other drugs instead. Another concern raised was that the bill would require a level of treatment not available in certain parts of our state, and that, even where treatment programs are available, some have long waiting lists, making compliance difficult. There were also concerns that this law would add a lot of cases to an already burdened division of DHHS. Moreover, it was unclear what, precisely, would define compliance with the law. Therefore, the minority believes that the proposed legislation would cause more harm than good.

### Majority Amendment (1354h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the child protection act.

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. Evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall create a rebuttable presumption that the child's health has suffered or is very likely to suffer serious impairment. The presumption may be rebutted by evidence of the parent's compliance with treatment for such use or dependence.

Amend the bill by replacing all after section 4 with the following:

5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2020.

II. The remainder of this act shall take effect upon its passage.



AMENDED ANALYSIS

This bill provides that evidence of a custodial parent’s opioid drug abuse or dependence creates a rebuttable presumption of harm under the Child Protection Act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

The bill is a request of the department of health and human services.  
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Itse offered floor amendment (1481h).

Floor Amendment (1481h)

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. There shall be a rebuttable presumption that evidence of a custodial parent’s opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, is evidence that a child’s health has suffered or is very likely to suffer serious impairment or to issue an ex parte order. The presumption may be rebutted by evidence such as the parent’s participation in treatment for such use or dependence or another responsible adult in the home acting as a caretaker.

Amend the bill by replacing all after section 4 with the following:

5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

6 Effective Date.

- I. Section 5 of this act shall take effect July 1, 2020.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that evidence of a custodial parent’s opioid drug abuse or dependence creates a rebuttable presumption of harm under the child protection act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

Rep. Itse spoke in favor.  
Rep. Berrien spoke against.  
Floor amendment (1481h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Simmons requested a roll call; sufficiently seconded.

YEAS 203    NAYS 129

YEAS - 203

BELKNAP

Fields, Dennis	Flanders, Donald	Spanos, Peter	Fraser, Valerie
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CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Theberge, Robert
Tholl, John	Thomas, Yvonne		

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Brown, Duane	Hennessey, Erin	Ford, Susan	Gionet, Edmond
Higgins, Patricia	Ladd, Rick	Hennessey, Martha	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Barry, Richard	Biggie, Barbara
Booras, Efstathia	Christensen, Chris	Cohen, Alan	Cornell, Patricia
Cote, David	Sullivan, Daniel	Danielson, David	DiSilvestro, Linda
Edelblut, Frank	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gagne, Larry	Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Infantine, William	Belanger, James	Jack, Martin	Jeu, Jean
Kurk, Neal	Ober, Lynne	Leishman, Peter	O'Brien, Michael
Mangipudi, Latha	Manley, Jonathan	Marston, Dick	Martel, Andre
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Walsh, Robert	Rowe, Robert	Shattuck, Gilman
Snow, Kendall	Soucy, Timothy	Vann, Ivy	O'Brien, William
Williams, Kermit	Wolf, Terry	Woodbury, David	

**MERRIMACK**

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Frazier, June	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Luneau, David	MacKay, James	Martin, John
Moffett, Howard	Myler, Mel	Patten, Dick	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane
Wheeler, Deborah			

**ROCKINGHAM**

Abraham, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Devine, James	DiFranco, Debbie	Edgar, Michael
Elliott, Robert	Rice, Frederick	Ferrante, Beverly	Fesh, Robert
Francesse, Paula	Ward, Gerald	Hagan, Joseph	Heffron, Frank
Hoelzel, Kathleen	Sweeney, Joe	Lovejoy, Patricia	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
Milz, David	Packard, Sherman	Belanger, Ronald	Tilton, Rio
Sherman, Thomas	Simpson, Alexis	Sytek, John	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gray, James	Horrigan, Timothy	Ward, Kenneth
Smith, Marjorie	Schmidt, Peter	Rollo, Deanna	Southworth, Thomas
Sprague, Dale	Treleaven, Susan	Wall, Janet	

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Smith, Steven		

**NAYS - 129**

**BELKNAP**

Aldrich, Glen  
Howard, Raymond  
Vadney, Herbert

Dumais, Russell  
Hurt, George

Tilton, Franklin  
LeBreche, Shari

Gallagher, Brian  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
Ticehurst, Susan

Comeau, Ed

McCarthy, Frank

Nelson, Bill

**CHESHIRE**

McConnell, James

Sterling, Franklin

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad

Darrow, Stephen

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Eastman, Eric  
Smith, Gregory  
Hogan, Edith  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Ober, Russell  
Simmons, Tammy  
Twombly, Timothy

Ammon, Keith  
Burt, John  
Estevez, Eric  
Gould, Linda  
Hopper, Gary  
LeBrun, Donald  
Murotake, David  
McCarthy, Peggy  
Rouillard, Claire  
Souza, Kathleen  
Ulery, Jordan

Griffin, Barbara  
Byron, Frank  
Ferreira, Elizabeth  
Halstead, Carolyn  
Rice, Kimberly  
McClarren, Donald  
Murphy, Keith  
Proulx, Mark  
Sanborn, Laurie  
Stepanek, Stephen  
Sullivan, Victoria

Balcom, John  
Coffey, James  
Fromuth, Bart  
Hansen, Peter  
Christiansen, Lars  
McLean, Mark  
Notter, Jeanine  
Christie, Rick  
Seidel, Carl  
Straight, Phillip  
Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
McGuire, Dan  
Horn, Werner  
Seaworth, Brian

Brewster, Michael  
French, Harold  
Kuch, Bill

McGuire, Carol  
Hill, Gregory  
Marple, Richard

Long, Douglas  
Hoell, J.R.  
Parent, Jason

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
Emerick, J. Tracy  
Harris, Jeffrey  
Kappler, Lawrence  
Griffin, Mary  
Peckham, Michele  
Schroadter, Adam  
Vose, Michael

Baldasaro, Alfred  
Thomas, Douglas  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Manning, John  
Potucek, John  
Spillane, James  
Webb, James

Bates, David  
Doucette, Fred  
Green, Dennis  
Itse, Daniel  
Kolodziej, Walter  
Nigrello, Robert  
Prudhomme-O'Brien, Katherine  
True, Chris

Cardon, G. Thomas  
Duarte, Joe  
Guthrie, Joseph  
Ward, Joanne  
Lundgren, David  
Osborne, Jason  
Gordon, Richard  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Turcotte, Leonard  
Whitehouse, Joshua

Bickford, David  
Jones, Laura  
Leeman, Don  
Wuelper, Kurt

DeLemus, Susan  
Kaczynski, Thomas  
Mullen, John

Groen, Warren  
Knowles, Robert  
Pitre, Joseph

**SULLIVAN**

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted and referred to the Committee on Finance.

**REFERRAL DECLINED**

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **SB 323**, relative to the use of force by employees of hospitals or other health care facilities.

**REGULAR CALENDAR PART I CONT'D**

**SB 500-FN**, relative to student health insurance plans. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. The purpose of this bill is to establish a mechanism to provide formal authorization for Dartmouth College and the University of New Hampshire to continue to operate student health insurance plans on a self-funded basis. Both institutions have been operating such plans for several years. There is a need to provide for oversight of the plans by the New Hampshire Insurance Department, since they are currently not regulated with respect to financial solvency or consumer protections by any other state or federal regulator. The bill is the result of a collaborative discussion with the affected entities as to the best way to proceed on this issue. The Insurance Department has made it clear that they would like to continue to collaborate as the bill moves forward in the legislature, to ensure that its objectives are clear and that the contemplated process works smoothly. Vote 16-4. Rep. Fromuth requested a roll call; sufficiently seconded.

**YEAS 256 NAYS 84**

**YEAS - 256****BELKNAP**

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Hurt, George	Fraser, Valerie	Vadney, Herbert	

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	

**COOS**

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Boehm, Ralph	Booras, Efstathia
Christensen, Chris	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Sullivan, Daniel	Danielson, David	DiSilvestro, Linda
Edelblut, Frank	Flanagan, Jack	Forest, Armand	Freitas, Mary
Smith, Gregory	Gagne, Larry	Gargas, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Guerette, C. Lee

Haefner, Robert  
Herbert, Christopher  
Belanger, James  
Kurk, Neal  
Leishman, Peter  
McClarren, Donald  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Shaw, Barbara  
Straight, Phillip  
Wolf, Terry

Hansberry, Daniel  
Hinch, Richard  
Jack, Martin  
Christiansen, Lars  
O'Brien, Michael  
Ohm, Bill  
Pellegrino, Anthony  
Walsh, Robert  
Sanborn, Laurie  
Snow, Kendall  
Ulery, Jordan  
Woodbury, David

Harvey, Suzanne  
Hopper, Gary  
Judy, Jean  
Ober, Lynne  
Mangipudi, Latha  
Long, Patrick  
Pierce, David  
Rosenwald, Cindy  
Seidel, Carl  
Soucy, Timothy  
Vann, Ivy

Heath, Mary  
Infantine, William  
Rice, Kimberly  
LeBrun, Donald  
Manley, Jonathan  
McCarthy, Peggy  
Porter, Marjorie  
Rouillard, Claire  
Shattuck, Gilman  
Souza, Kathleen  
Williams, Kermit

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hess, David  
Frazer, June  
Kotowski, Frank  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Hill, Gregory  
Karrick, David  
Luneau, David  
Myler, Mel  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
French, Harold  
Hirsch, Geoffrey  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Henle, Paul  
Horn, Werner  
Kidder, David  
Martin, John  
Rogers, Katherine  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Rice, Frederick  
Friel, William  
Heffron, Frank  
Kolodziej, Walter  
Manning, John  
Milz, David  
Peckham, Michele  
Tilton, Rio  
Sytek, John  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Cushing, Robert  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Schroadter, Adam  
Tucker, Pamela  
Woitkun, Steven

Azarian, Gary  
Cahill, Michael  
Thomas, Douglas  
Edgar, Michael  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sherman, Thomas  
Webb, James

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Elliott, Robert  
Francese, Paula  
Hagan, Joseph  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Belanger, Ronald  
Simpson, Alexis  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Leeman, Don  
Rollo, Deanna  
Wall, Janet

Berube, Roger  
Cheney, Catherine  
Horrigan, Timothy  
Smith, Marjorie  
Southworth, Thomas

Bickford, David  
Cilley, Jacalyn  
Ward, Kenneth  
Mullen, John  
Sprague, Dale

Bixby, Peter  
Gardner, Janice  
Knowles, Robert  
Schmidt, Peter  
Treleaven, Susan

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Smith, Steven

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

### NAYS - 84

### BELKNAP

Aldrich, Glen  
Spanos, Peter

Gallagher, Brian  
Sylvia, Michael

Howard, Raymond

LeBreche, Shari

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
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**CHESHIRE**

McConnell, James
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**GRAFTON**

Johnson, Eric	Hull, Robert	Shackett, Jeffrey
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**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Burt, John
Byron, Frank	Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Lachance, Joseph	Marston, Dick	Martel, Andre	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Peterson, Ken	Christie, Rick	Ober, Russell	Simmons, Tammy
Twombly, Timothy	Sullivan, Victoria	O'Brien, William	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Hoell, J.R.	Kuch, Bill	Marple, Richard	Parent, Jason
Seaworth, Brian			

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Chirichiello, Brian
Doucette, Fred	Duarte, Joe	Emerick, J. Tracy	Gannon, William
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce	Ward, Joanne
Kappler, Lawrence	Lundgren, David	McBeath, Rebecca	Osborne, Jason
Gordon, Richard	Spillane, James	True, Chris	Vose, Michael

**STRAFFORD**

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard	Pitre, Joseph
Whitehouse, Joshua	Wuelper, Kurt		

**SULLIVAN**

Laware, Thomas	O'Hearne, Andrew	Rollins, Skip
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and the committee report was adopted and referred to the Committee on Finance.

**SB 503-FN-A**, relative to pre-kindergarten education using "pay for success" financing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ralph Boehm for the Majority of Education. This bill establishes a commission to extend a request for proposals to provide pre-kindergarten education services to 4 year olds in New Hampshire by creating a "pay for success" partnership between providers of pre-kindergarten education services and investors. Although the bill indicates that program costs will be paid by private investment, at some point costs will ultimately be paid by the taxpayer. The question must be asked, "At what age will we allow the state to take over the job of parenting young children because the state knows best?" Studies from the National Institute of Child Health and Human Development show that children who spend time in non-maternal care before age 5 have more behavior problems later in life. The bill supposes that pre-kindergarten programming will result in less remedial or special education services in third grade, but these results may not be proven for at least four years from now. Further, with the way that success is measured or set up by the commission or third party evaluator, results data supporting an investment return to investors could be manipulated. Success of this program relies on private investments which could lead to lawsuits against the state should the investment return associated with the measures of student growth be questioned showing little or no student improvement. There are many variables in education associated with student growth. To say growth is a result of one variable such as pre-kindergarten programming would be difficult to prove. This bill has too many unanswered issues. Vote 16-4.

Rep. Mary Heath for the Minority of Education. The minority finds this bill establishes a commission to extend invitations to establish pilot pre-kindergarten education services in New Hampshire to improve educational outcomes for its youngest children utilizing a “pay for success” model to finance the pilot program. This tool allows for philanthropic funders and impact investors to provide the initial capital to implement the programs. This bill aims to improve third grade reading proficiency and to reduce the need for special education remediation. To accomplish these goals this bill provides for an impact study project to expand proven, quality pre-kindergarten services without risking local or state dollars to determine if the proposed program will result in the promised goal attainment. Through pay for success, the commission will establish contracts between: (1) One or more providers of pre-k services, who will provide pre-k services to expand cohorts of 4-year olds in NH; (2) Third party investors will provide the upfront capital to expand and deliver those services. These investors may include investors seeking a return of both principal and interest, philanthropic investors seeking only a full or partial return of the principal and/or grantors and federal agencies that do not seek a financial return; and (3) The state would agree to repay investors only if the evaluator determines the services did improve the third grade reading and special education outcomes. This bill will help providers to identify quality pre-k programs using rigorous longitudinal data regarding student outcomes so that proven quality practices can be shared and implemented in NH by those providers wishing to offer such programs.

Majority committee report adopted.

**SB 210-FN, relative to regulation of septic system evaluators. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill establishes a Board of Septic System Evaluators for the licensure and regulation of persons engaged in the practice of septic system evaluations. The bill is proposed as a consumer protection measure. The committee heard testimony that 50% of NH homes are on individual septic systems, the second highest in the country. Yet, there are currently no state standards or guidelines for those engaged in the practice of septic system evaluation. This shortcoming in the practice can potentially lead to a cost exceeding \$10,000 for the unnecessary replacement of a septic field. The licensure and regulation proposed by this bill will help to ensure a more uniform set of standards by which septic evaluators provide their service. The legislation itself was proposed by the septic system trades. The amendment to the bill made several technical corrections and revised penalties to be in line with other statutes on certain criminal practices. The amendment also ensured liberal, yet functional, grandfathering provisions for those currently providing septic evaluations. This will permit practicing and qualified practitioners to continue to do their work without undue hardship. Vote 13-5.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill seeks to create a new license for those that evaluate or inspect septic systems. These inspections are typically done when there are issues with the system or when there is a real estate transaction and the potential buyer wants to know if the septic system is in good working order. The draft of this bill was based on the home inspectors license and there were numerous issues found with that “boiler plate” language that was used as the basis for this potential law. After multiple subcommittee hearings and several executive sessions a significant rewrite of the bill took place. The issues with the proposed licensure system are as follows: current DES rules, Chapter Env-Wq 1000 Subdivision and Individual Sewerage Disposal System Design Rules, Env-Wq 1003.22, already require that an inspector get written confirmation from the town health inspector or building inspector when the inspector is stating the septic system is in “failure.” With a state license the consumer may be lulled into a false sense of security. For example, it has been reported by government studies and as well the AMA that in one of the most regulated fields, that of medicine, that between 210,000 and 440,000 injuries including death occur in the US annually and this is a completely licensed set of professions. Furthermore, the training may indicate a level of classroom and field training, but with this license, there is no indication of efficiency, reliability, or honesty, nor is there any level of guaranteed competence. The consumers will still need to count on free market solutions to know the quality of the inspector that they are hiring. Lastly, the license system creates larger but not better government. Although the joint board overseeing this new license will be self-funding under this statute, there is no liability to the state if the individual licensed by the state fails to do a good job and therefore the consumer is paying for something that they are not getting. The minority recommends this bill be held for interim study to make sure the bill is ready to be turned into a statute.

**Majority Amendment (1273h)**

Amend RSA 310-A:203, III as inserted by section 2 of the bill by replacing it with the following:

III. "Code of ethics" means the code of ethics described in RSA 310-A:205 that is followed by septic system evaluators who are licensed as septic system evaluators by the board.

Amend RSA 310-A:205, V as inserted by section 2 of the bill by deleting subparagraph (f).

Amend RSA 310-A:206, I(e) as inserted by section 2 of the bill by replacing it with the following:

(e) An employee of the department of environmental services, appointed by the commissioner of the department of environmental services.

Amend RSA 310-A:206, V as inserted by section 2 of the bill by replacing it with the following:

V. Members shall be appointed for 5-year terms. Appointments for terms of less than 5 years may be made in order to stagger the appointments. No member shall be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's term, the member shall serve until a successor is qualified and appointed. Vacancies occurring prior to the expiration of a specific term shall be filled by appointment for the unexpired term. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. A board member may be removed for cause by the governor and council under RSA 4:1.

Amend RSA 310-A:206, VIII and IX as inserted by section 2 of the bill by replacing them with the following:

VIII.(a) The board shall keep a record of its proceedings and a register of all applications for licensure, which shall show:

- (1) The name, age, and residence of each applicant.
- (2) The date of application.
- (3) The place of business of such applicant.
- (4) The applicant's educational and other qualifications.
- (5) Proof of passing the septic system evaluator exam.
- (6) Whether the applicant was rejected and the reasons for such rejection.
- (7) Whether a license was granted.
- (8) The date of the action of the board.
- (9) Such other information as may be deemed necessary by the board.

(b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, as of December 31, the board shall submit to the executive director of the office of professional licensing and certification a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.

IX. The secretary of the board shall maintain and regularly update a roster listing the names and addresses of all septic system evaluators certified under this subdivision by the board on the board's website. The board may include in such roster any other information it deems appropriate. Amend RSA 310-A:210 as inserted by section 2 of the bill by replacing it with the following:

310-A:210 Eligibility Requirements for Licensure as a Septic System Evaluator.

I. Each applicant for licensure as a septic system evaluator shall meet the following minimum requirements:

- (a) Completion of classroom and field training at a board-approved evaluator course.
- (b) Proof of passing the board-adopted examination required for licensure.
- (c) Be at least 18 years of age.

II. A person who currently holds a Granite State Septic System Certified Evaluator designation or other recognized designation determined to be acceptable by the board shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of such designation.

III. A person who was actively engaged in the business of septic system evaluation in this state as a means of his or her livelihood for at least 5 years and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An application for licensure under this paragraph



shall be made within one year following the effective date of this subdivision. The applicant shall be issued a license by providing evidence satisfactory to the board of the knowledge and experience equivalent to the requirements of subparagraphs I(a) and I(b).

IV. A person who currently holds a New Hampshire septic designer permit and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be issued a license by the board without completion of the requirements of subparagraph I(a) or I(b) upon request of the applicant. An application for licensure under this paragraph shall be made within one year following the effective date of this subdivision.

V. All applicants shall meet the requirements of subparagraphs I(c) and (d), pay an initial fee, and fulfill all other license application requirements.

VI. The board shall approve all education programs under subparagraph I(a) of organizations or education institutions providing acceptable education and training.

VII. The board shall have the discretion to reject an applicant who is not of good professional character, as evidenced by:

- (a) Misstatement of facts by the applicant in connection with the application;
- (b) Violation of any of the standards of practice or code of ethics as they are set forth in this subdivision or in rules adopted by the board; or
- (c) Practicing septic system evaluations without being licensed in violation of laws of the jurisdiction in which the practice took place.

Amend RSA 310-A:215, II as inserted by section 2 of the bill by replacing it with the following:

II. All licenses issued by the board shall expire on the last day of the license holder's month of birth in the second year following the year of issuance, or upon such other biennial date as the board may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the license holder's name shall be removed from current status, and application for reinstatement shall be required to return to current status provided that the license holder provides satisfactory proof that all required continuing education requirements have been met. The board shall charge a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12 months after the expiration date shall be rejected, unless accompanied by proof of successful completion of the examination required by the board. If a license holder fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the license holder shall be required to reapply and to be re-examined for licensure.

Amend RSA 310-A:216 as inserted by section 2 of the bill by replacing it with the following:

#### 310-A:216 Disciplinary Action.

I. The board may undertake disciplinary proceedings upon written complaint of any person which charges that a person certified by the board has committed misconduct under paragraph II and which specifies the grounds therefor.

II. Misconduct sufficient to support disciplinary proceedings under this section shall include:

(a) The practice of fraud or deceit in procuring or attempting to procure a license to practice under this subdivision.

(b) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of, the profession.

(c) Unfitness or incompetence by reason of negligence or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the expertise of the license holder.

(d) Mental or physical incompetence to practice under this subdivision.

(e) Willful or repeated violation of the provisions of this subdivision.

(f) Suspension or revocation of a license, similar to one issued under this subdivision, in another jurisdiction and not reinstated.

(g) Violations of the code of ethics for septic system evaluators, or any other rule adopted by the board.

(h) Providing false testimony before the board.

(i) Failure to provide, within 30 calendar days of receipt of notice by certified mail, return receipt requested, information requested by the board as a result of any formal complaint to the board alleging a violation of this subdivision.

(j) Knowingly making or signing any false statement, license, or affidavit in connection with the practice of septic system evaluations.

Amend RSA 310-A:217, II as inserted by section 2 of the bill by replacing it with the following:

II.(a) The board shall have the power to administer oaths or affirmations and preserve testimony.

(b) The board may subpoena witnesses, and compel, by subpoena duces tecum, the production of all books, records, files and documents, whether originals, copies, or in electronic or other form, and other materials, relevant to its investigation of any grievance, complaint, or disciplinary proceeding before the board with the approval of the office of the attorney general.

(c) A minimum of 10 business days' notice shall be given for compliance with a subpoena under this subdivision.

Amend RSA 310-A:219 - RSA 310-A:221 as inserted by section 2 of the bill by replacing them with the following:

310-A:219 Violations; Penalty.

I. It shall be a class B misdemeanor, for the first offense, and a Class A misdemeanor for the second and any subsequent offense, for any natural person to:

(a) Present or attempt to use the license of another as one's own;

(b) Give any false or forged evidence of any kind to the board or to any board member in obtaining a license;

(c) Attempt to use a revoked license;

(d) Beginning January 1, 2017, practice septic system evaluations or to offer, advertise, or hold oneself out to the public as being in the practice of septic system evaluation in this state without a license; or

(e) Violate any of the provisions of this subdivision.

II. It shall be a violation for any natural person to attempt to use an expired license.

310-A:220 Restraint of Violations. The superior court shall have jurisdiction in equity to restrain violations of RSA 310-A:219 on proceedings brought by the attorney general, or the board.

310-A:221 Exemptions. Nothing in this subdivision shall be construed to prevent or affect the following persons from evaluating septic systems:

I. A person who is employed by a governmental entity if the inspection is within official duties and responsibilities.

II. A septic system designer holding a current valid permit issued under RSA 485-A:35.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Reps. Hoell and Beaudoin spoke against and yielded to questions.

Rep. Cilley spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 178 NAYS 162**

**YEAS - 178**

**BELKNAP**

Fields, Dennis

**CARROLL**

Buco, Thomas  
Parker, Harold

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

McConkey, Mark

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Pearson, William  
Sterling, Franklin

Ames, Richard  
Chase, Cynthia  
Roberts, Kris  
Robertson, Timothy  
Weber, Lucy

Tilton, Benjamin  
Eaton, Daniel  
Mann, John  
Sad, Tara

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Maes, Kevin  
Brown, Rebecca  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Booras, Efsthathia  
Sullivan, Daniel  
Freitas, Mary  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
Leishman, Peter  
Martel, Andre  
Peterson, Ken  
Rosenwald, Cindy  
Vann, Ivy

Baroody, Benjamin  
Cohen, Alan  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
Long, Patrick  
Porter, Marjorie  
Shattuck, Gilman  
Williams, Kermit

Barry, Richard  
Cornell, Patricia  
DiSilvestro, Linda  
Gargas, Carolyn  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Mangipudi, Latha  
McCarthy, Peggy  
Proulx, Mark  
Snow, Kendall  
Wolf, Terry

Beaulieu, Jane  
Cote, David  
Forest, Armand  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Christiansen, Lars  
Manley, Jonathan  
Pellegrino, Anthony  
Walsh, Robert  
Soucy, Timothy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Friel, William  
Hoelzel, Kathleen  
Milz, David  
Sherman, Thomas

Berrien, Skip  
Cushing, Robert  
Elliott, Robert  
Ward, Gerald  
Lovejoy, Patricia  
Nigrello, Robert  
Simpson, Alexis

Borden, David  
Devine, James  
Rice, Frederick  
Hagan, Joseph  
Griffin, Mary  
Belanger, Ronald  
Sytek, John

Cahill, Michael  
DiFranco, Debbie  
Francese, Paula  
Heffron, Frank  
McBeath, Rebecca  
Tilton, Rio  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Ward, Kenneth  
Southworth, Thomas

Berube, Roger  
Gardner, Janice  
Smith, Marjorie  
Spang, Judith

Bixby, Peter  
Gray, James  
Schmidt, Peter  
Treleaven, Susan

Burton, Wayne  
Horrigan, Timothy  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 162****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Spanos, Peter

Dumais, Russell  
Howard, Raymond  
Sylvia, Michael

Tilton, Franklin  
Hurt, George  
Fraser, Valerie

Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Shackett, Jeffrey

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Byron, Frank  
Estevez, Eric  
Gould, Linda  
Hopper, Gary  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Christie, Rick  
Sanborn, Laurie  
Souza, Kathleen  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Ferreira, Elizabeth  
Halstead, Carolyn  
Infantine, William  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Ober, Russell  
Seidel, Carl  
Stepanek, Stephen  
Sullivan, Victoria

Griffin, Barbara  
Bouldin, Amanda  
Eastman, Eric  
Fromuth, Bart  
Hansen, Peter  
Belanger, James  
Marston, Dick  
Murotake, David  
Palmer, Barry  
Rouillard, Claire  
Shaw, Barbara  
Straight, Phillip  
O'Brien, William

Balcom, John  
Burt, John  
Edelblut, Frank  
Smith, Gregory  
Hogan, Edith  
Rice, Kimberly  
McClarren, Donald  
Murphy, Keith  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
French, Harold  
Kuch, Bill  
Seaworth, Brian

McGuire, Carol  
Hoell, J.R.  
Marple, Richard

Long, Douglas  
Horn, Werner  
Martin, John

McGuire, Dan  
Kidder, David  
Parent, Jason

**ROCKINGHAM**

Abramson, Max  
Barnes, Arthur  
Thomas, Douglas  
Emerick, J. Tracy  
Green, Dennis  
Sweeney, Joe  
Kolodziej, Walter  
Matthews, Carolyn  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
True, Chris  
Welch, David

Allen, Mary  
Bates, David  
Dean-Bailey, Yvonne  
Ferrante, Beverly  
Guthrie, Joseph  
Ward, Joanne  
Lundgren, David  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
Tucker, Pamela  
Weyler, Kenneth

Azarian, Gary  
Cardon, G. Thomas  
Doucette, Fred  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
Major, Norman  
McMahon, Charles  
Peckham, Michele  
Schroadter, Adam  
Vose, Michael

Baldasaro, Alfred  
Chirichiello, Brian  
Duarte, Joe  
Gannon, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Manning, John  
O'Connor, John  
Potucek, John  
Spillane, James  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Knowles, Robert  
Pitre, Joseph

Bickford, David  
Hannon, Joseph  
Turcotte, Leonard  
Sprague, Dale

Cheney, Catherine  
Jones, Laura  
Leeman, Don  
Whitehouse, Joshua

DeLemus, Susan  
Kaczynski, Thomas  
Mullen, John  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and referred to the Committee on Finance.

**SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill changes the appointment process for members of the commission and removes the requirement that appointees be approved by the Governor and Council. It adds additional reporting requirements to the governor's commission, including biannual reports on financial expenditures for substance abuse related work, and presentations once each legislative session to the Finance Committees of the House and Senate, the Health and Human Services Committees of both bodies, and the Joint Fiscal Committee. The bill appropriates the additional sums of \$3,000,000 to the governor's commission for contracts for program services, \$2,000,000 for funding supportive housing projects for persons with substance abuse disorders in fiscal year ending June 30, 2017. The bill appropriates \$20,830 for fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30 2017 to the department of justice for an additional assistant attorney general to prosecute drug cases. All sums appropriated will come from excess appropriations. Vote 18-0.

### **Amendment (1356h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Amend the bill by replacing section 10 with the following:

10 Supplemental Appropriation for Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Supplemental Appropriation for Supportive Housing Projects for Persons with Substance Abuse Disorders.

I. In addition to any other sums appropriated for fiscal year 2017, \$3,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services. Additionally, \$2,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the appropriated funds are used for the purpose of funding supportive housing projects for persons with substance abuse disorders. The New Hampshire housing finance authority shall prepare a report on the status of projects funded, in whole or in part, by this appropriation to be delivered to the house health and human services and elderly affairs committee by December 31, 2017 and annually thereafter until the appropriated funds have been fully allocated.

II. For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

Amend the bill by replacing all after section 11 with the following:

12 Health and Human Services; Prevention Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2988 by inserting a class note immediately following such accounting unit as follows:

#### **CLASS NOTE**

102 F. This appropriation shall not lapse until June 30, 2017.

13 Health and Human Services; Clinical Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2990 by inserting a class note immediately following such accounting unit as follows:

#### **CLASS NOTE**

102 F. This appropriation shall not lapse until June 30, 2017.

14 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Dan McGuire spoke against.

The Speaker ruled the debate by Rep. Dan McGuire out of order.

Rep. Weber spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 235 NAYS 109**

**YEAS - 235****BELKNAP**

Dumais, Russell	Fields, Dennis	Flanders, Donald	Gallagher, Brian
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**CARROLL**

Butler, Edward	Chandler, Gene	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Hennessey, Erin	Ford, Susan	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Brown, Rebecca	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Booras, Efstathia	Byron, Frank
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Flanagan, Jack
Forest, Armand	Freitas, Mary	Smith, Gregory	Gagne, Larry
Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hopper, Gary
Infantine, William	Belanger, James	Jack, Martin	Judy, Jean
Rice, Kimberly	Kurk, Neal	LeBrun, Donald	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Murotake, David
Long, Patrick	McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert

Shattuck, Gilman  
Straight, Phillip  
Woodbury, David

Shaw, Barbara  
Vann, Ivy

Snow, Kendall  
Williams, Kermit

Soucy, Timothy  
Wolf, Terry

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Chirichiello, Brian  
DiFranco, Debbie  
Rice, Frederick  
Ward, Gerald  
Hoelzel, Kathleen  
Kolodziej, Walter  
Manning, John  
Milz, David  
Peckham, Michele  
Tilton, Rio  
Tucker, Pamela

Abramson, Max  
Cahill, Michael  
Cushing, Robert  
Doucette, Fred  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Sherman, Thomas  
Webb, James

Azarian, Gary  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Edgar, Michael  
Francesse, Paula  
Hagan, Joseph  
Ward, Joanne  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Simpson, Alexis  
Welch, David

Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Elliott, Robert  
Friel, William  
Heffron, Frank  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Belanger, Ronald  
Sytek, John  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Smith, Marjorie  
Spang, Judith

Berube, Roger  
Cheney, Catherine  
Hannon, Joseph  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Cilley, Jacalyn  
Horriggan, Timothy  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
Gardner, Janice  
Ward, Kenneth  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
O'Hearne, Andrew

### NAYS - 109

#### BELKNAP

Aldrich, Glen  
LeBreche, Shari  
Vadney, Herbert

Tilton, Franklin  
Spanos, Peter

Howard, Raymond  
Sylvia, Michael

Hurt, George  
Fraser, Valerie

### CARROLL

Avellani, Lino  
McCarthy, Frank

Buco, Thomas

Comeau, Ed

Cordelli, Glenn

### CHESHIRE

### COOS

### GRAFTON

Bailey, Brad  
Gionet, Edmond

Brown, Duane  
Hull, Robert

Darrow, Stephen  
Shackett, Jeffrey

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Coffey, James	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gould, Linda	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Christiansen, Lars	Ober, Lynne	Lachance, Joseph	Marston, Dick
Martel, Andre	McClarren, Donald	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Christie, Rick
Ober, Russell	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Souza, Kathleen	Stepanek, Stephen	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	O'Brien, William	Zaricki, Nick	

**MERRIMACK**

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	Parent, Jason	Seaworth, Brian

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Thomas, Douglas	Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Kappler, Lawrence	Lundgren, David	McKinney, Betsy	Osborne, Jason
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris
Vose, Michael	Woitkun, Steven		

**STRAFFORD**

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Leeman, Don
Mullen, John	Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt

**SULLIVAN**

Laware, Thomas

and the committee report was adopted and referred to the Committee on Finance.

**SB 409-FN, relative to the first responder's critical injury benefit. OUGHT TO PASS WITH AMENDMENT.**

Rep. William Infantine for Labor, Industrial and Rehabilitative Services. This bill amends a prior law enacted in 2014 (SB 204, Chapter 242) that created a temporary workers' compensation-type benefit program for first responders injured in the line of duty. The law was temporary to give the legislature time to review this benefit for all workers and not just first responders. The bill that came from the Senate made this temporary benefit permanent even though a thorough study making this benefit for all workers was not completed. The committee amended the bill to continue the benefit for one additional year through June of 2017 and established a study committee made up of three House members and one Senator. Vote 15-1.

**Amendment (1330h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

Amend the bill by replacing all after the enacting clause with the following:

1 First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] 2017. Benefits paid under this section for all claimants shall not exceed \$500,000.

2 Prospective Repeal Extended. Amend 2014, 242:4, I to read as follows:

I. Paragraph I of section 2 of this act shall take effect June 30, [2016] 2017.



### 3 Committee to Study Soft Tissue Injuries for Purposes of Workers' Compensation Established.

I. There is established a committee to study soft tissue injuries for purposes of workers' compensation.

(a) The members of the committee shall be as follows:

(1) One member of the senate, appointed by the president of the senate.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

II. The committee shall study soft tissue injuries for purposes of workers' compensation.

III. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

IV. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

4 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill extends the prospective repeal of the first responder's critical injury benefit. This bill also establishes a committee to study soft tissue injuries for purposes of workers' compensation.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

### **SB 480-FN-A**, relative to the state house visitor's center revolving fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Legislative Administration. Currently, all funds from the special markups on the sale of commemorative bottles are deposited in the Historical Fund for the sole purpose of restoring the Civil War battle flags. Because some important preservation measures such as work on the display cases or preventing ultraviolet light from the windows are not done to the flags themselves, the bill, as amended, broadens the permitted use of markup revenue to allow for the preservation of the Hall of Flags and the battle flags on display there. Secondly, the bill abolishes three special accounts; the Bicentennial Diorama Account, the Historic Flag Restoration Account, and the Flag Restoration and Care Account and consolidates the sums contained in those accounts, along with the remaining sum in the already repealed Civil War Memorials Fund, in the Historical Fund. Finally, the bill as amended provides that sums over \$50,000 in the State House Visitor's Center Revolving Fund on June 30th of any fiscal year shall be deposited in the Historical Fund, instead of the General Fund. Vote 8-0.

### **Amendment (1350h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the historical fund.

Amend the bill by replacing all after the enacting clause with the following:

1 State House Visitor's Center Revolving Fund. Amend RSA 17-E:7 to read as follows:

17-E:7 State House Visitor's Center Revolving Fund. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the state house visitor's center revolving fund which shall be kept separate and distinct from all other funds. The state house visitor's center revolving fund shall be within the oversight of the joint legislative facilities committee established in RSA 17-E:1. Moneys received from the sale of merchandise at the state house visitor's center, including online sales, shall be deposited in such fund and used to purchase merchandise for the visitor's center. The amount in the fund shall not exceed \$50,000 on June 30 of any fiscal year and any moneys in excess of said amount shall be deposited in the ~~[general fund as unrestricted revenue]~~ **historical fund, established in RSA 177:8.**

2 Historical Fund; Preservation of the State House Hall of Flags. Amend RSA 177:8, II to read as follows:

II. All revenue from these special markups shall be reported separately by the commission and, after the cost of the pamphlets is subtracted, shall be credited to the legislative appropriation and kept as a special nonlapsing fund to be known as the historical fund. The historical fund shall be within the

oversight of the joint legislative historical committee established in RSA 17-I:1. No part of the fund shall be transferred or expended for any purpose except by the joint legislative historical committee in carrying out its responsibilities under RSA 17-I. The joint legislative historical committee shall use the revenue from the special markups exclusively for the preservation of [~~Civil War battle flags displayed at the state house~~] *the state house hall of flags and the battle flags displayed in the hall of flags*.

3 Department of Administrative Services; Certain Special Legislative Accounts Abolished. The commissioner of administrative services shall abolish the following special accounts and transfer any balance remaining in the accounts as of June 30, 2016 to the historical fund, established in RSA 177:8:

I. The four bicentennial dioramas account (account organization code 1471).

II. The historic flag restoration account (account organization code 1479).

III. The flag restoration and care account (account organization code 1485).

4 Civil War Memorials Fund. On June 30, 2016, any balance remaining in the civil war memorials fund (account organization code 8875), established in RSA 21-K:22 and repealed December 31, 2010, by 2010, 368:1(38), shall be transferred to the historical fund, established in RSA 177:8.

5 Effective Date. This act shall take effect June 30, 2016.

### AMENDED ANALYSIS

This bill:

I. Provides that funds over \$50,000 in the state house visitor's center revolving fund shall be deposited in the historical fund.

II. Directs the joint legislative historical committee to use the funds from special markups on commemorative bottles for the preservation of the state house hall of flags and the battle flags displayed in the hall of flags.

III. Directs the commissioner of administrative services to abolish the bicentennial dioramas account, the historic flag restoration account, and the flag restoration and care account.

IV. Transfers any funds remaining in these accounts and in the civil war memorials fund on June 30, 2016 to the historical fund.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**SB 368-FN-A**, making a capital appropriation for department of environmental services monitoring equipment. **OUGHT TO PASS.**

Rep. Martin Jack for Public Works and Highways. This bill repurposes \$260,000 of the \$600,000 appropriated in HB 25 to purchase land for the Hampton Circuit Court. The funds are available since the land will cost substantially less than appropriated. Under the auspices of the department of environmental services, the bill proposes to use the funds to fill gaps in the state's ability to generate and analyze scientific data in the Great Bay and Hampton Harbor in order to better understand water quality trends and support local and state decision-making. There is a detailed plan for how the funds will be spent, including additional areas of the Great Bay; a pH sensor, and new surface sensors for existing stations, and other items. The location is one of 28 nationally significant sites in the federal estuaries program. Monitoring is done by a formally organized partnership involving UNH and about 200 other stakeholders. Among other issues, it is important to keep the clam and oyster habitats and the eelgrass population vibrant to preserve the estuaries. Because the estuaries are economically significant and can be fragile, and new EPA rules have recently taken effect, it is advisable to take this action outside the normal capital budget cycle. Because the bill repurposes an existing appropriation, there is no impact on total bonded indebtedness. Vote 8-7.

Rep. Porter requested a roll call; sufficiently seconded.

**YEAS 208 NAYS 136**

**YEAS - 208**

**BELKNAP**

Fields, Dennis

Flanders, Donald

**CARROLL**

Buco, Thomas  
Parker, Harold

Butler, Edward  
Ticehurst, Susan

McCarthy, Frank  
Umberger, Karen

McConkey, Mark

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Chase, Cynthia  
Hunt, John  
Pearson, William  
Weber, Lucy

Tilton, Benjamin  
Eaton, Daniel  
Roberts, Kris  
Robertson, Timothy

Berch, Paul  
Emerson, Susan  
Mann, John  
Sad, Tara

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Maes, Kevin  
Brown, Rebecca  
White, Andrew

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Christensen, Chris  
Sullivan, Daniel  
Gargas, Carolyn  
Gould, Linda  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
McCarthy, Peggy  
Pierce, David  
Walsh, Robert  
Shattuck, Gilman  
Souza, Kathleen  
Wolf, Terry

Backus, Robert  
Biggie, Barbara  
Cohen, Alan  
DiSilvestro, Linda  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Jeudy, Jean  
Mangipudi, Latha  
Palmer, Barry  
Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Booras, Efstathia  
Cornell, Patricia  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Christiansen, Lars  
Manley, Jonathan  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

Baroody, Benjamin  
Bouldin, Amanda  
Cote, David  
Freitas, Mary  
Gorman, Mary  
Hansberry, Daniel  
Infantine, William  
Leishman, Peter  
Long, Patrick  
Peterson, Ken  
Christie, Rick  
Seidel, Carl  
Soucy, Timothy  
Williams, Kermit

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Doucette, Fred  
Rice, Frederick  
Friel, William  
Heffron, Frank  
Manning, John  
Peckham, Michele  
Sherman, Thomas  
Woitkun, Steven

Abramson, Max  
Borden, David  
Cushing, Robert  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Ward, Joanne  
McBeath, Rebecca  
Prudhomme-O'Brien, Katherine  
Simpson, Alexis

Azarian, Gary  
Cahill, Michael  
Devine, James  
Elliott, Robert  
Fesh, Robert  
Guthrie, Joseph  
Lovejoy, Patricia  
McKinney, Betsy  
Tilton, Rio  
Tucker, Pamela

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Emerick, J. Tracy  
Francese, Paula  
Hagan, Joseph  
Griffin, Mary  
McMahon, Charles  
Schroadter, Adam  
Webb, James

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	Gardner, Janice	Gray, James
Horrigan, Timothy	Ward, Kenneth	Kaen, Naida	Smith, Marjorie
Mullen, John	Schmidt, Peter	Rollo, Deanna	Southworth, Thomas
Spang, Judith	Sprague, Dale	Treleaven, Susan	Wall, Janet
Whitehouse, Joshua			

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee			

**NAYS - 136****BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Gallagher, Brian
Howard, Raymond	Hurt, George	LeBreche, Shari	Spanos, Peter
Sylvia, Michael	Fraser, Valerie	Vadney, Herbert	

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	Nelson, Bill	Schmidt, Stephen	

**CHESHIRE**

McConnell, James	Sterling, Franklin
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**COOS**

Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric	Gionet, Edmond	Hull, Robert	Ladd, Rick
Shackett, Jeffrey			

**HILLSBOROUGH**

Ammon, Keith	Griffin, Barbara	Barry, Richard	Boehm, Ralph
Burt, John	Byron, Frank	Coffey, James	Danielson, David
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Smith, Gregory	Gagne, Larry
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Belanger, James	Rice, Kimberly	Kurk, Neal
Ober, Lynne	LeBrun, Donald	Marston, Dick	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Ober, Russell	Rouillard, Claire
Sanborn, Laurie	Simmons, Tammy	Stepanek, Stephen	Straight, Phillip
Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria	O'Brien, William
Zaricki, Nick			

**MERRIMACK**

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	Parent, Jason	Seaworth, Brian

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bates, David	Chirichiello, Brian
Thomas, Douglas	Dean-Bailey, Yvonne	Duarte, Joe	Gannon, William

Green, Dennis  
Sweeney, Joe  
Lundgren, David  
Nigrello, Robert  
Potucek, John  
Sytek, John  
Weyler, Kenneth

Harris, Jeffrey  
Kappler, Lawrence  
Major, Norman  
O'Connor, John  
Belanger, Ronald  
True, Chris

Hodgdon, Bruce  
Katsakiores, Phyllis  
Matthews, Carolyn  
Osborne, Jason  
Gordon, Richard  
Vose, Michael

Hoelzel, Kathleen  
Kolodziej, Walter  
Miltz, David  
Packard, Sherman  
Spillane, James  
Welch, David

### STRAFFORD

Beaudoin, Steven  
Hannon, Joseph  
Turcotte, Leonard

Cheney, Catherine  
Jones, Laura  
Leeman, Don

DeLemus, Susan  
Kaczynski, Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

### SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report was adopted and referred to the Committee on Finance.

### **SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. This bill was brought forth from a study committee to provide needed revenue to help maintain OHRV trails in NH. Currently snowmobilers, both club members and non-members, pay at registration a trail maintenance fee of \$30 which is payable to the Department of Resources and Economic Development, Bureau of Trails for the bureau's grant-in-aid program which provides for trail improvement and maintenance. Having good trails is an economic benefit to all of New Hampshire. This bill parallels the snowmobile statute and applies it to OHRV trail users who up until now have had little support for trail maintenance, repair, and construction. The new \$30 user fee attached to the registration fee is the same as is currently applied to snowmobile registrations. These OHRV funds will be administered the same way as with snowmobiles and the Bureau of Trails. Additionally, the bill instructs the Department of Fish and Game, Bureau of Trails, and the NH Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. Vote 17-2.

### **Amendment (1333h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

Amend the bill by replacing all after section 3 with the following:

4 Fish and Game Department; Report on Registration Alternatives. The executive director of the fish and game department shall work in conjunction with the New Hampshire Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. The executive director shall report any findings or recommendations resulting from the study to the president of the senate and the speaker of the house of representatives on or before December 1, 2017.

#### **5 Effective Date.**

I. Section 4 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect May 1, 2018.

### **AMENDED ANALYSIS**

This bill establishes an OHRV registration fee for persons who are members of an OHRV club which is reduced \$30 from the increased fee paid by other registrants. The bill also requires the executive director of the fish and game department to report on registration alternatives for OHRV users who do not use organized trail systems.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 262 NAYS 83****YEAS - 262****BELKNAP**

Dumais, Russell  
Fraser, Valerie

Tilton, Franklin

Flanders, Donald

Gallagher, Brian

**CARROLL**

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Nelson, Bill  
Umberger, Karen

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
McConnell, James  
Sad, Tara

Ames, Richard  
Chase, Cynthia  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie

Tilton, Benjamin  
Eaton, Daniel  
Roberts, Kris  
Pearson, William  
Sterling, Franklin

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

**COOS**

Fothergill, John  
Richardson, Herbert

Frobürg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Ford, Susan  
Hennessey, Martha  
Piper, Wendy  
Sykes, George

Almy, Susan  
Brown, Duane  
Gionet, Edmond  
Maes, Kevin  
Brown, Rebecca  
Townsend, Charles

Bailey, Brad  
Darrow, Stephen  
Higgins, Patricia  
Massimilla, Linda  
Shackett, Jeffrey  
White, Andrew

Bennett, Travis  
Hennessey, Erin  
Ladd, Rick  
Nordgren, Sharon  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Boehm, Ralph  
Cohen, Alan  
Danielson, David  
Forest, Armand  
Gargas, Carolyn  
Gould, Linda  
Hansen, Peter  
Hinck, Richard  
Jeudy, Jean  
LeBrun, Donald  
Long, Patrick  
Peterson, Ken  
Walsh, Robert  
Seidel, Carl  
Soucy, Timothy  
Williams, Kermit

Griffin, Barbara  
Barry, Richard  
Booras, Efstathia  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Gidge, Kenneth  
Guerette, C. Lee  
Harvey, Suzanne  
Hopper, Gary  
Kurk, Neal  
Leishman, Peter  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Straight, Phillip  
Wolf, Terry

Backus, Robert  
Beaulieu, Jane  
Christensen, Chris  
Cote, David  
Eastman, Eric  
Smith, Gregory  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Belanger, James  
Christiansen, Lars  
O'Brien, Michael  
Palmer, Barry  
Porter, Marjorie  
Rouillard, Claire  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Biggie, Barbara  
Coffey, James  
Sullivan, Daniel  
Flanagan, Jack  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Herbert, Christopher  
Jack, Martin  
Ober, Lynne  
Mangipudi, Latha  
Pellegrino, Anthony  
Proulx, Mark  
Rowe, Robert  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Alicea, Caroletta  
Brewster, Michael  
Long, Douglas  
Henle, Paul  
Karrick, David

French, Barbara  
McGuire, Carol  
Doherty, David  
Hirsch, Geoffrey  
Kenison, Linda

Bartlett, Christy  
Rice, Chip  
Ebel, Karen  
Horn, Werner  
Kidder, David

Bradley, Paula  
Carson, Clyde  
Gile, Mary  
Frazer, June  
Kotowski, Frank

Kuch, Bill  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

Luneau, David  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

MacKay, James  
Parent, Jason  
Schuett, Dianne

Martin, John  
Patten, Dick  
Shurtleff, Stephen

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Edgar, Michael  
Ferrante, Beverly  
Guthrie, Joseph  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Manning, John  
McMahon, Charles  
Packard, Sherman  
Belanger, Ronald  
Simpson, Alexis  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Chirichiello, Brian  
Devine, James  
Elliott, Robert  
Francesse, Paula  
Hagan, Joseph  
Ward, Joanne  
Lundgren, David  
Matthews, Carolyn  
Milz, David  
Peckham, Michele  
Tilton, Rio  
Sytek, John  
Woitkun, Steven

Azarian, Gary  
Cahill, Michael  
Cushing, Robert  
DiFranco, Debbie  
Emerick, J. Tracy  
Friel, William  
Heffron, Frank  
Katsakiores, Phyllis  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Potucek, John  
Schroadter, Adam  
Webb, James

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
Doucette, Fred  
Rice, Frederick  
Ward, Gerald  
Hodgdon, Bruce  
Kolodziej, Walter  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sherman, Thomas  
Welch, David

### STRAFFORD

Baber, William  
Burton, Wayne  
Hannon, Joseph  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
Cilley, Jacalyn  
Horrigan, Timothy  
Mullen, John  
Spang, Judith  
Wuelper, Kurt

Bickford, David  
Gardner, Janice  
Ward, Kenneth  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Gray, James  
Kaen, Naida  
Rollo, Deanna  
Treleaven, Susan

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Rollins, Skip

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

### NAYS - 83

### BELKNAP

Aldrich, Glen  
LeBreche, Shari

Fields, Dennis  
Spanos, Peter

Howard, Raymond  
Sylvia, Michael

Hurt, George  
Vadney, Herbert

### CARROLL

Avellani, Lino

Comeau, Ed

McCarthy, Frank

### COOS

Thomas, Yvonne

### GRAFTON

Johnson, Eric

Hull, Robert

### HILLSBOROUGH

Ammon, Keith  
Edelblut, Frank  
Halstead, Carolyn  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Sanborn, Laurie  
Twombly, Timothy  
Zaricki, Nick

Bouldin, Amanda  
Estevez, Eric  
Hogan, Edith  
Manley, Jonathan  
Moore, Josh  
Ohm, Bill  
Simmons, Tammy  
Ulery, Jordan

Burt, John  
Ferreira, Elizabeth  
Infantine, William  
Marston, Dick  
Murotake, David  
Christie, Rick  
Souza, Kathleen  
Sullivan, Victoria

Byron, Frank  
Fromuth, Bart  
Rice, Kimberly  
McClarren, Donald  
Murphy, Keith  
Ober, Russell  
Stepanek, Stephen  
O'Brien, William

**MERRIMACK**

Turcotte, Alan  
Hoell, J.R.

McGuire, Dan  
Marple, Richard

French, Harold  
Seaworth, Brian

Hill, Gregory

**ROCKINGHAM**

Abramson, Max  
Fesh, Robert  
Sweeney, Joe  
Spillane, James

Baldasaro, Alfred  
Gannon, William  
Kappler, Lawrence  
True, Chris

Bates, David  
Green, Dennis  
Osborne, Jason  
Tucker, Pamela

Duarte, Joe  
Harris, Jeffrey  
Gordon, Richard  
Vose, Michael

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura  
Leeman, Don

Cheney, Catherine  
Kaczynski, Thomas  
Pitre, Joseph

DeLemus, Susan  
Knowles, Robert  
Whitehouse, Joshua

Groen, Warren  
Turcotte, Leonard

**SULLIVAN**

Irwin, Virginia

Laware, Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

**SB 492-FN**, relative to expenditures from the energy efficiency fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill creates close to \$40 million in new energy savings each year. The bill directs the business allocation from the Energy Efficiency Fund to go to rebates for business, thereby driving down electrical costs for our businesses, especially those large energy users. It directs the residential allocation from the Energy Efficiency Fund to support high demand, cost effective energy efficiency programs, all of which are privately managed, award winning statewide programs run by the utilities and overseen by the NH Public Utilities Commission within the so-called CORE docket. Unlike previous proposals, this bill increases money going to low-income weatherization from the current 15% to 35%. This will service over 400 additional low-income renters and homeowners across the state and will cut their household energy bills by up to 30%, allowing them to afford other basic necessities, avoid springtime evictions and foreclosures, and reduce reliance on local welfare. Importantly, the low-income energy efficiency waitlist of over 10,000 households across our state will finally begin to be chipped away at. Hundreds more middle income residential customers falling above the qualification for the low-income program will also receive energy efficiency assistance. Moreover, aging school district and municipal buildings across our state will receive needed upgrades to significantly reduce their energy bills, which directly reduces operating expenses and thereby property tax liability. Finally, our manufacturing sector on the LG electric rate (greater than 1,000-kilowatt demand) will receive an average reduction of \$200 per month. The minority argues we should socialize the residential allocation and give an average of between \$1.30 and \$1.70 per month to every residential customer from the Energy Efficiency Fund, rather than supporting high quality energy efficiency for hundreds of residential households, municipalities, and school districts across the state that are clearly struggling to get their energy bills under control. The majority believes it is a much better return on investment to support hundreds of jobs, provide property tax relief, create about \$40 million in new energy savings each year, and drastically reduce energy and grid demands that drive down prices for all ratepayers. This bill is supported by a wide array of stakeholders, including the Business and Industry Association, the Office of Consumer Advocate (which represents residential ratepayers), NH Legal Assistance which represents low-income residential ratepayers, the NH Municipal Association, and Community Action Programs which provide services to low-income clients across our state. Vote 12-5.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill provides language that duplicates an amendment that the Senate applied to HB 208 last year. It eliminates the ratepayer rebate of \$10 million of Regional Greenhouse Gas Initiative (RGGI) auction proceeds. Instead, it spends those funds to expand energy efficiency projects for low-income residents and local government buildings. This income redistribution will cost the average NH ratepayer \$1.70 per month or \$20 per year. It discourages civic responsibility by allowing towns and school districts



to postpone energy efficiency projects while waiting and hoping for a state grant. It redistributes ratepayer monies to a narrow group of favored recipients. It requires seniors struggling to pay for food and medicine to pay higher electricity costs to support energy efficiency projects for others. The bill rebates funds to commercial/industrial customers at the expense of residential customers. Two local government representatives who testified said that energy efficiency projects in their towns did not lower the local tax rate.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Vose spoke against and yielded to questions.

Rep. Mann spoke in favor and yielded to questions.

### **MOTION TO LAY ON THE TABLE**

Rep. Carol McGuire moved that **SB 492-FN**, relative to expenditures from the energy efficiency fund, be laid on the table.

Rep. Baber requested a roll call; sufficiently seconded.

### **YEAS 189 NAYS 155**

#### **YEAS - 189**

##### **BELKNAP**

Aldrich, Glen  
Flanders, Donald  
LeBreche, Shari  
Vadney, Herbert

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Howard, Raymond  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Fraser, Valerie

##### **CARROLL**

Avellani, Lino  
Nelson, Bill

Comeau, Ed  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen

Crawford, Karel

##### **CHESHIRE**

Emerson, Susan  
Sterling, Franklin

Hunt, John

Roberts, Kris

McConnell, James

##### **COOS**

Rideout, Leon

Tholl, John

##### **GRAFTON**

Bailey, Brad  
Johnson, Eric

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Shackett, Jeffrey

##### **HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Eastman, Eric  
Flanagan, Jack  
Gould, Linda  
Hansen, Peter  
Rice, Kimberly  
Lachance, Joseph  
McClarren, Donald  
Notter, Jeanine  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Stepanek, Stephen  
Ulery, Jordan  
Zaricki, Nick

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Fromuth, Bart  
Guerette, C. Lee  
Hinch, Richard  
Kurk, Neal  
LeBrun, Donald  
McLean, Mark  
Ohm, Bill  
Peterson, Ken  
Ober, Russell  
Seidel, Carl  
Straight, Phillip  
Sullivan, Victoria

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Estevez, Eric  
Smith, Gregory  
Haefner, Robert  
Hogan, Edith  
Christiansen, Lars  
Marston, Dick  
Moore, Josh  
McCarthy, Peggy  
Pierce, David  
Rouillard, Claire  
Simmons, Tammy  
Takesian, Charlene  
O'Brien, William

Balcom, John  
Burt, John  
Danielson, David  
Ferreira, Elizabeth  
Gagne, Larry  
Halstead, Carolyn  
Belanger, James  
Ober, Lynne  
Martel, Andre  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Souza, Kathleen  
Twombly, Timothy  
Wolf, Terry

**MERRIMACK**

Turcotte, Alan	Brewster, Michael	McGuire, Carol	Long, Douglas
McGuire, Dan	French, Harold	Hill, Gregory	Hoell, J.R.
Kidder, David	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	Parent, Jason	Seaworth, Brian	Wheeler, Deborah

**ROCKINGHAM**

Abramson, Max	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline	Chirichiello, Brian
Thomas, Douglas	Dean-Bailey, Yvonne	Devine, James	Doucette, Fred
Duarte, Joe	Emerick, J. Tracy	Rice, Frederick	Ferrante, Beverly
Fesh, Robert	Friel, William	Gannon, William	Green, Dennis
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
Milz, David	Nigrello, Robert	O'Connor, John	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Belanger, Ronald	Gordon, Richard
Tilton, Rio	Spillane, James	Sytek, John	True, Chris
Tucker, Pamela	Vose, Michael	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard
Leeman, Don	Mullen, John	Pitre, Joseph	Whitehouse, Joshua
Wuelper, Kurt			

**SULLIVAN**

Laware, Thomas	Rollins, Skip
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**NAYS - 155****CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Parker, Harold	Ticehurst, Susan	

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Mann, John	Parkhurst, Henry	Pearson, William	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Weber, Lucy	

**COOS**

Fothergill, John	Fruborg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Thomas, Yvonne	

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Ladd, Rick	Hennessey, Martha
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Brown, Rebecca	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efsthia
Cohen, Alan	Cornell, Patricia	Cote, David	Sullivan, Daniel
DiSilvestro, Linda	Forest, Armand	Freitas, Mary	Gargas, Carolyn

Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hopper, Gary
Infantine, William	Jack, Martin	Jeady, Jean	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Long, Patrick
Porter, Marjorie	Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Vann, Ivy
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Horn, Werner	Frazer, June	Karrick, David	Kenison, Linda
Luneau, David	Mackay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Wallner, Mary Jane		

**ROCKINGHAM**

Abrami, Patrick	Berrien, Skip	Borden, David	Cahill, Michael
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Elliott, Robert	Francese, Paula	Ward, Gerald	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	McMahon, Charles	Packard, Sherman
Peckham, Michele	Sherman, Thomas	Simpson, Alexis	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Gardner, Janice	Horrigan, Timothy	Ward, Kenneth	Kaen, Naida
Smith, Marjorie	Schmidt, Peter	Rollo, Deanna	Southworth, Thomas
Spang, Judith	Sprague, Dale	Treleaven, Susan	Wall, Janet

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Smith, Steven		

and the motion was adopted.

Rep. Murotake declared a conflict of interest and did not participate.

**REFERRAL DECLINED**

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 210-FN**, relative to regulation of septic system evaluators.

The Speaker referred **SB 210-FN** to the Committee on Ways and Means.

**REGULAR CALENDAR PART I CONT'D**

**SB 510-FN**, relative to parking at state park parking meters. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for the Majority of Transportation. This bill adds a set of restrictions from existing law regarding free parking by state park motor vehicle plate holders. The intent is to end the practice of these plate holders occupying prime parking during peak and weekend times with no limitations or fees, thus allowing more parking for all. A new paragraph does allow the commissioner to assess an increased rate during peak times, however the Fiscal Committee of the General Court can deny such a plan. Vote 14-3.

Rep. Chris True for the Minority of Transportation. The minority feels giving authority to the Commissioner of the Department of Resources and Economic Development to raise rates on weekends and holidays, with approval of the Fiscal Committee, unfairly hits the working man in the wallet. Many working people can only go to the beach on weekends and holidays, and those days may be subject to higher parking fees.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Steven Smith spoke in favor.

Rep. True spoke against and requested a roll call; sufficiently seconded.

## YEAS 246 NAYS 99

### YEAS - 246

#### BELKNAP

Dumais, Russell  
Gallagher, Brian

Tilton, Franklin  
Hurt, George

Fields, Dennis  
Fraser, Valerie

Flanders, Donald  
Vadney, Herbert

#### CARROLL

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Hunt, John  
Pearson, William  
Sterling, Franklin

Ames, Richard  
Eaton, Daniel  
Roberts, Kris  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Mann, John  
Sad, Tara

Bordenet, John  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

#### COOS

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

#### GRAFTON

Abel, Richard  
Brown, Duane  
Gionet, Edmond  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

Bennett, Travis  
Hennessey, Erin  
Ladd, Rick  
Piper, Wendy  
Sykes, George

Cooney, Mary  
Ford, Susan  
Hennessey, Martha  
Brown, Rebecca  
Townsend, Charles

#### HILLSBOROUGH

Ammon, Keith  
Baroody, Benjamin  
Booras, Efstathia  
Cohen, Alan  
Edelblut, Frank  
Freitas, Mary  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Ober, Lynne  
Marston, Dick  
Moore, Josh  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Williams, Kermit

Griffin, Barbara  
Barry, Richard  
Byron, Frank  
Cornell, Patricia  
Estevez, Eric  
Fromuth, Bart  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Leishman, Peter  
Martel, Andre  
Murotake, David  
Palmer, Barry  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy  
Wolf, Terry

Backus, Robert  
Beaulieu, Jane  
Christensen, Chris  
Sullivan, Daniel  
Flanagan, Jack  
Gagne, Larry  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Mangipudi, Latha  
McClarren, Donald  
Ohm, Bill  
Pellegrino, Anthony  
Ober, Russell  
Seidel, Carl  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Biggie, Barbara  
Coffey, James  
DiSilvestro, Linda  
Forest, Armand  
Gidge, Kenneth  
Hansberry, Daniel  
Hinch, Richard  
Christiansen, Lars  
Manley, Jonathan  
McLean, Mark  
Long, Patrick  
Peterson, Ken  
Walsh, Robert  
Shattuck, Gilman  
Sullivan, Victoria  
Zaricki, Nick

#### MERRIMACK

French, Barbara  
Rice, Chip  
Ebel, Karen

Bartlett, Christy  
Carson, Clyde  
Gile, Mary

Bradley, Paula  
Long, Douglas  
French, Harold

McGuire, Carol  
Doherty, David  
Henle, Paul

Hess, David  
Karrick, David  
Luneau, David  
Parent, Jason  
Schuett, Dianne

Hill, Gregory  
Kenison, Linda  
MacKay, James  
Patten, Dick  
Shurtleff, Stephen

Hirsch, Geoffrey  
Kidder, David  
Martin, John  
Rogers, Katherine  
Wallner, Mary Jane

Horn, Werner  
Kotowski, Frank  
Moffett, Howard  
Saunderson, George

### ROCKINGHAM

Abrami, Patrick  
Berrien, Skip  
Chirichiello, Brian  
DiFranco, Debbie  
Elliott, Robert  
Fesh, Robert  
Hagan, Joseph  
Ward, Joanne  
Griffin, Mary  
McKinney, Betsy  
Packard, Sherman  
Tilton, Rio  
Sytek, John  
Woitkun, Steven

Allen, Mary  
Borden, David  
Cushing, Robert  
Doucette, Fred  
Emerick, J. Tracy  
Francesse, Paula  
Heffron, Frank  
Katsakiores, Phyllis  
Major, Norman  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Webb, James

Azarian, Gary  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
Duarte, Joe  
Rice, Frederick  
Friel, William  
Hoelzel, Kathleen  
Kolodziej, Walter  
Manning, John  
Nigrello, Robert  
Potucek, John  
Sherman, Thomas  
Welch, David

Barnes, Arthur  
Cardon, G. Thomas  
Devine, James  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Sweeney, Joe  
Lovejoy, Patricia  
Matthews, Carolyn  
O'Connor, John  
Belanger, Ronald  
Simpson, Alexis  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Cheney, Catherine  
Ward, Kenneth  
Mullen, John  
Spang, Judith

Berube, Roger  
Cilley, Jacalyn  
Kaen, Naida  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Gardner, Janice  
Turcotte, Leonard  
Pitre, Joseph  
Treleven, Susan

Bixby, Peter  
Gray, James  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

### NAYS - 99

### BELKNAP

Aldrich, Glen  
Sylvia, Michael

Howard, Raymond

LeBreche, Shari

Spanos, Peter

### CARROLL

Avellani, Lino  
Ticehurst, Susan

Buco, Thomas

Cordelli, Glenn

McCarthy, Frank

### CHESHIRE

Tilton, Benjamin

McConnell, James

### COOS

Rideout, Leon

Theberge, Robert

### GRAFTON

Bailey, Brad

Johnson, Eric

Hull, Robert

Massimilla, Linda

### HILLSBOROUGH

Adams, Christopher  
Danielson, David  
Gorman, Mary  
Hogan, Edith  
Rice, Kimberly  
Murphy, Keith

Boehm, Ralph  
Eastman, Eric  
Gould, Linda  
Hopper, Gary  
Lachance, Joseph  
Notter, Jeanine

Burt, John  
Ferreira, Elizabeth  
Halstead, Carolyn  
Infantine, William  
LeBrun, Donald  
Proulx, Mark

Cote, David  
Smith, Gregory  
Hansen, Peter  
Belanger, James  
O'Brien, Michael  
Christie, Rick

Rouillard, Claire  
Souza, Kathleen  
Ulery, Jordan

Sanborn, Laurie  
Stepanek, Stephen  
Vann, Ivy

Simmons, Tammy  
Straight, Phillip  
O'Brien, William

Snow, Kendall  
Twombly, Timothy

### MERRIMACK

Turcotte, Alan  
Hoell, J.R.  
Myler, Mel

Alicea, Caroletta  
Frazer, June  
Seaworth, Brian

Brewster, Michael  
Kuch, Bill  
Wheeler, Deborah

McGuire, Dan  
Marple, Richard

### ROCKINGHAM

Abramson, Max  
Dean-Bailey, Yvonne  
Harris, Jeffrey  
McBeath, Rebecca  
Gordon, Richard  
Vose, Michael

Baldasaro, Alfred  
Gannon, William  
Hodgdon, Bruce  
McMahon, Charles  
Spillane, James

Bates, David  
Green, Dennis  
Kappler, Lawrence  
Osborne, Jason  
True, Chris

Cahill, Michael  
Guthrie, Joseph  
Lundgren, David  
Prudhomme-O'Brien, Katherine  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Hannon, Joseph  
Knowles, Robert  
Wuelper, Kurt

Burton, Wayne  
Horrigan, Timothy  
Leeman, Don

DeLemus, Susan  
Jones, Laura  
Rollo, Deanna

Groen, Warren  
Kaczynski, Thomas  
Whitehouse, Joshua

### SULLIVAN

O'Heame, Andrew

and the majority committee report was adopted and referred to the Committee on Ways and Means.

**SB 444-FN**, relative to lottery retailer incentive awards. **OUGHT TO PASS.**

Rep. Bill Ohm for Ways and Means. The advent of large lottery jackpots has caused neighboring states to increase their seller incentives to promote sales. Awards of \$75,000 to \$100,000 for selling a winning ticket are now commonplace. New Hampshire currently caps the incentive at \$30,000. This bill would increase the cap to \$75,000 for an event likely to occur no more than once every year or two. Vote 20-0.

Committee report adopted and referred to the Committee on Finance.

### SENATE MESSAGES

#### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Amendment printed SJ 4/14/16)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

### REGULAR CALENDAR - PART II

**SB 509-FN**, relative to voter registration forms and relative to voter identity verification. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for the Majority of Election Law. This bill incorporates changes to the Voter Registration form including the removal of existing wording requiring compliance with motor vehicle laws. The second section of this bill, as amended, changes the procedure for investigating voters who did not confirm their status after being sent a letter of identity verification. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. As justification for this change to the law it was reported that, over the course of several elections, a "large" number of voter identification letters have accumulated in the office of the NH Secretary of State. Under the current law, it is the duty of the Attorney General's (AG's) Office to investigate these returned letters, and determine whether any voter fraud has occurred. The AG's Office states that it does not have the available staff or budget to enable the process of investigation to be completed. This bill proposes to expand the power of investigation from the AG's Office to the Secretary of State and to town clerks and checklist supervisors. It would become the duty of the town clerks and checklist supervisors to undertake the time and effort to scrutinize the letters and investigate the circumstances, and then compile a "list" of "not...legal voters." The bill's fis-

cal note states that it would require additional staff time at the local level and could result in increased local expenditures. Even with this downshifting of investigation expenses to the local towns and cities, the Department of Justice further anticipates that some “temporary full-time” investigators and paralegals would be needed to implement the bill, at a cost to the department of at least \$167,000.00 per year. Over the years, the department’s regular reports with respect the investigation of verifying letter has rarely if ever exposed any voter fraud. This bill downshifts unnecessary and burdensome state expenses onto cities and towns. It is opposed by the New Hampshire City and Town Clerks’ Association. It creates expenses and personnel requirement upon the Department of Justice with no appropriations therefore, and no explanation as to the source of funding for the cities and towns.

**Majority Amendment (1317h)**

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from city and town clerks and supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general for investigation.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Ohm offered floor amendment (1478h).

**Floor Amendment (1478h)**

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from the supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general who shall cause an investigation to be made to determine whether fraudulent voting occurred.

Rep. Ohm spoke in favor.

Rep. Moynihan spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 173    NAYS 125**

**YEAS - 173**

**BELKNAP**

Tilton, Franklin  
Howard, Raymond  
Fraser, Valerie

Fields, Dennis  
Hurt, George  
Vadney, Herbert

Flanders, Donald  
LeBreche, Shari

Gallagher, Brian  
Spanos, Peter

**CARROLL**

Avellani, Lino  
McCarthy, Frank

Chandler, Gene  
McConkey, Mark

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

**CHESHIRE**

Emerson, Susan

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Richardson, Herbert

Rideout, Leon

Toll, John

**GRAFTON**

Bailey, Brad  
Johnson, Eric

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
 Biggie, Barbara  
 Christensen, Chris  
 Edelblut, Frank  
 Smith, Gregory  
 Haefner, Robert  
 Hopper, Gary  
 LeBrun, Donald  
 Murotake, David  
 Palmer, Barry  
 Rouillard, Claire  
 Simmons, Tammy  
 Utery, Jordan

Ammon, Keith  
 Boehm, Ralph  
 Coffey, James  
 Estevez, Eric  
 Gagne, Larry  
 Halstead, Carolyn  
 Rice, Kimberly  
 McClarren, Donald  
 Murphy, Keith  
 Peterson, Ken  
 Rowe, Robert  
 Straight, Phillip  
 Sullivan, Victoria

Griffin, Barbara  
 Burt, John  
 Danielson, David  
 Ferreira, Elizabeth  
 Gargas, Carolyn  
 Hansen, Peter  
 Kurk, Neal  
 McLean, Mark  
 Notter, Jeanine  
 Proulx, Mark  
 Sanborn, Laurie  
 Takesian, Charlene  
 Zaricki, Nick

Balcom, John  
 Byron, Frank  
 Eastman, Eric  
 Fromuth, Bart  
 Gould, Linda  
 Hinch, Richard  
 Christiansen, Lars  
 Moore, Josh  
 Ohm, Bill  
 Christie, Rick  
 Seidel, Carl  
 Twombly, Timothy

**MERRIMACK**

Brewster, Michael  
 Hill, Gregory  
 Kuch, Bill  
 Seaworth, Brian

McGuire, Carol  
 Hoell, J.R.  
 Marple, Richard

Long, Douglas  
 Horn, Werner  
 Martin, John

McGuire, Dan  
 Kotowski, Frank  
 Parent, Jason

**ROCKINGHAM**

Abrami, Patrick  
 Baldasaro, Alfred  
 Chirichiello, Brian  
 Doucette, Fred  
 Rice, Frederick  
 Green, Dennis  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Gordon, Richard  
 Sytek, John  
 Webb, James

Abramson, Max  
 Barnes, Arthur  
 Thomas, Douglas  
 Duarte, Joe  
 Fesh, Robert  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Manning, John  
 Nigrello, Robert  
 Peckham, Michele  
 Tilton, Rio  
 True, Chris  
 Welch, David

Allen, Mary  
 Bates, David  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Friel, William  
 Hagan, Joseph  
 Sweeney, Joe  
 Kolodziej, Walter  
 Matthews, Carolyn  
 O'Connor, John  
 Potucek, John  
 Schroadter, Adam  
 Tucker, Pamela  
 Weyler, Kenneth

Azarian, Gary  
 Cardon, G. Thomas  
 Devine, James  
 Emerick, J. Tracy  
 Gannon, William  
 Harris, Jeffrey  
 Ward, Joanne  
 Griffin, Mary  
 McMahon, Charles  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Spillane, James  
 Vose, Michael  
 Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Thomas  
 Mullen, John

Bickford, David  
 Groen, Warren  
 Knowles, Robert  
 Pitre, Joseph

Cheney, Catherine  
 Hannon, Joseph  
 Turcotte, Leonard  
 Whitehouse, Joshua

DeLemus, Susan  
 Jones, Laura  
 Leeman, Don  
 Wuelper, Kurt

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 125****CARROLL**

Butler, Edward

Crawford, Karel

Parker, Harold

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Bordenet, John  
 Roberts, Kris  
 Robertson, Timothy

Ames, Richard  
 Chase, Cynthia  
 Mann, John  
 Sad, Tara

Tilton, Benjamin  
 Eaton, Daniel  
 Parkhurst, Henry  
 Weber, Lucy

Berch, Paul  
 Johnsen, Gladys  
 Pearson, William

**COOS**

Fothergill, John  
 Theberge, Robert

Froburg, Alethea

Hatch, William

Moynihan, Wayne



**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Maes, Kevin  
Brown, Rebecca  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Forest, Armand  
Hansberry, Daniel  
Belanger, James  
Manley, Jonathan  
Porter, Marjorie  
Vann, Ivy

Beaulieu, Jane  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Long, Patrick  
Walsh, Robert  
Williams, Kermit

Cohen, Alan  
Gorman, Mary  
Herbert, Christopher  
Judy, Jean  
Pellegrino, Anthony  
Shattuck, Gilman  
Woodbury, David

Cote, David  
Guerette, C. Lee  
Hogan, Edith  
Leishman, Peter  
Pierce, David  
Shaw, Barbara

**MERRIMACK**

Turcotte, Alan  
Rice, Chip  
French, Harold  
Karrick, David  
Patten, Dick  
Shurtleff, Stephen

Alicea, Caroletta  
Carson, Clyde  
Henle, Paul  
Kenison, Linda  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

Bradley, Paula  
Gile, Mary  
Frazer, June  
Moffett, Howard  
Schuett, Dianne

**ROCKINGHAM**

Borden, David  
DiFranco, Debbie  
Heffron, Frank  
Sherman, Thomas

Cahill, Michael  
Edgar, Michael  
McBeath, Rebecca  
Simpson, Alexis

Cali-Pitts, Jacqueline  
Francesca, Paula  
McKinney, Betsy

Cushing, Robert  
Ward, Gerald  
Belanger, Ronald

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Sprague, Dale

Berube, Roger  
Gardner, Janice  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Horrigan, Timothy  
Rollo, Deanna

Burton, Wayne  
Ward, Kenneth  
Southworth, Thomas

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
and floor amendment (1478h) was adopted.

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Gray spoke in favor.

Rep. Moynihan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 194 NAYS 133****YEAS - 194****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Howard, Raymond  
Fraser, Valerie

Fields, Dennis  
Hurt, George  
Vadney, Herbert

Flanders, Donald  
LeBreche, Shari

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank

Comeau, Ed  
McConkey, Mark

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Emerson, Susan  
Sterling, Franklin

Hunt, John

Roberts, Kris

McConnell, James

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**Bailey, Brad  
Johnson, Eric  
Shackett, JeffreyBrown, Duane  
Gionet, EdmondDarrow, Stephen  
Hull, RobertHennessey, Erin  
Ladd, Rick**HILLSBOROUGH**Adams, Christopher  
Barry, Richard  
Byron, Frank  
Eastman, Eric  
Forest, Armand  
Gargas, Carolyn  
Halstead, Carolyn  
Hopper, Gary  
Christiansen, Lars  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Souza, Kathleen  
Sullivan, VictoriaAmmon, Keith  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Fromuth, Bart  
Gidge, Kenneth  
Hansen, Peter  
Belanger, James  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Peterson, Ken  
Ober, Russell  
Scontsas, Lisa  
Straight, Phillip  
Wolf, TerryGriffin, Barbara  
Boehm, Ralph  
Coffey, James  
Estevez, Eric  
Smith, Gregory  
Gould, Linda  
Hinch, Richard  
Rice, Kimberly  
LeBrun, Donald  
Murotake, David  
McCarthy, Peggy  
Pierce, David  
Rouillard, Claire  
Seidel, Carl  
Twombly, Timothy  
Zaricki, NickBalcom, John  
Burt, John  
Danielson, David  
Ferreira, Elizabeth  
Gagne, Larry  
Haefner, Robert  
Hogan, Edith  
Kurk, Neal  
McClarren, Donald  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Simmons, Tammy  
Ulery, Jordan**MERRIMACK**Brewster, Michael  
French, Harold  
Horn, Werner  
Martin, JohnMcGuire, Carol  
Hess, David  
Kotowski, Frank  
Parent, JasonLong, Douglas  
Hill, Gregory  
Kuch, Bill  
Seaworth, BrianMcGuire, Dan  
Hoell, J.R.  
Marple, Richard**ROCKINGHAM**Abrami, Patrick  
Baldasaro, Alfred  
Chirichiello, Brian  
Doucette, Fred  
Rice, Frederick  
Green, Dennis  
Hodgdon, Bruce  
Kappler, Lawrence  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Tilton, Rio  
True, Chris  
Welch, DavidAbramson, Max  
Barnes, Arthur  
Thomas, Douglas  
Duarte, Joe  
Fesh, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Schroadter, Adam  
Tucker, Pamela  
Weyler, KennethAllen, Mary  
Bates, David  
Dean-Bailey, Yvonne  
Elliott, Robert  
Friel, William  
Hagan, Joseph  
Sweeney, Joe  
Kolodziej, Walter  
Manning, John  
Milz, David  
Packard, Sherman  
Belanger, Ronald  
Spillane, James  
Vose, Michael  
Woitkun, StevenAzarian, Gary  
Cardon, G. Thomas  
Devine, James  
Emerick, J. Tracy  
Gannon, William  
Harris, Jeffrey  
Ward, Joanne  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Gordon, Richard  
Sytek, John  
Webb, James**STRAFFORD**Beaudoin, Steven  
Gray, James  
Kaczynski, Thomas  
Mullen, JohnBickford, David  
Groen, Warren  
Knowles, Robert  
Pitre, JosephCheney, Catherine  
Hannon, Joseph  
Turcotte, Leonard  
Whitehouse, JoshuaDeLemus, Susan  
Jones, Laura  
Leeman, Don  
Wuelper, Kurt**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS - 133****CARROLL**

Butler, Edward	Parker, Harold	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Mann, John	Parkhurst, Henry	Pearson, William	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Weber, Lucy	

**COOS**

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
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**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Hennessey, Martha	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Brown, Rebecca
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Cohen, Alan	Cornell, Patricia	Cote, David	Sullivan, Daniel
DiSilvestro, Linda	Freitas, Mary	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Jeady, Jean	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Long, Patrick
Porter, Marjorie	Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Soucy, Timothy	Takesian, Charlene	Vann, Ivy
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Frazer, June	Karrick, David
Kenison, Linda	MacKay, James	Moffett, Howard	Patten, Dick
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		

**ROCKINGHAM**

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Edgar, Michael	Francesse, Paula	Ward, Gerald
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Sherman, Thomas
Simpson, Alexis			

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Sprague, Dale	Treleaven, Susan
Wall, Janet			

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee			

and the majority committee report was adopted and ordered to third reading.

**REMARKS PRINTED**

Without objection, the Speaker ordered the question by Rep. Marjorie Smith and the answer by the Speaker, be printed in the Permanent Journal.

**REMARKS**

**Representative Marjorie Smith:** Thank you, Mister Speaker. I do have a question for you and I offer this only knowing that I hold you in the highest regard. Whether this is an unfunded mandate or not since if there is a directive for the local officials to do something, they are going to have to do it. Since there are very clear costs that are mentioned in our official calendar, I wonder if you would send this bill to the Finance committee since we don't have enough work to do as it is.

**Speaker Jasper:** Thank you and if you will give me one minute. While I just looked at the fiscal note and we have done that. I will say first of all that the bill does not mandate anything. It requests the cooperation and as we all know when we request someone to cooperate, that does not mean they will cooperate so this is a request. We are doing the exact same thing on the state level that we are doing. This is actually something that came about because there was verification by the city of Dover and they very quickly cleaned this up and cleared up many of the cases. We had 2,400 two years ago and the attorney general's office essentially threw up his arms and said I don't have the staff for this and that was a concern. So this is a way of clearing that up. The fiscal impact statement makes it clear that there will be no fiscal impact on state, county and local revenues or county expenditures. Because it's not a mandate on the towns and the cities, there is no fiscal impact on them unless they choose to cooperate, which they are not mandated to do, therefore there is nothing for the Finance committee to look at.

**Representative Marjorie Smith:** Thank you. Could I ask? I noticed that you said there would be no county expenditures. You did not say anything about local expenditures.

**Speaker Jasper:** That was the last part of my question. I said because this is not a mandate, if they choose to spend some time, and that's all it would be. If they choose to spend some time, that's up to them. So there is no impact.

**Representative Marjorie Smith:** So on the one hand, the legislature thinks this is very important and we should have the opportunity to resolve this problem by involving local officials, but on the other hand we don't care if they do it or not?

**Speaker Jasper:** Well, how long have you been around here?

**Representative Marjorie Smith:** Long enough to ask the question, Mister Speaker.

**Speaker Jasper:** I appreciate your question and the fact is this is something that occurs on a very infrequent basis and this is the choice that the legislature has made. By our vote here today, this is the choice we have made. You are certainly free to disagree with that, but that is where we are and there is no fiscal impact that requires this bill to move to Finance.

**Representative Marjorie Smith:** But, Mister Speaker, would it be appropriate to establish a written record of your decision that the locals would not be obliged to do this and that there would, therefore, be no mandated costs? Could we put that response in the Permanent Record?

**Speaker Jasper:** We will put this exchange in the Permanent Journal. My belief is that the bill itself makes that clear, but for your comfort, we will put our exchange in the Permanent Journal.

**Representative Marjorie Smith:** Thank you very much, Mister Speaker.

**REGULAR CALENDAR PART II CONT'D**

**SB 546-FN**, relative to petitions for verification of checklists. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Duane Brown for the Majority of Election Law. The procedure for verification of checklists upon the petition of a required number of registered voters is currently working properly with the Ballot Law Commission conducting the investigation. This bill interjects the Secretary of State's office into what could be construed as a partisan political issue. Additionally, this bill puts the burden on the petitioners of providing "sufficient evidence" to even begin an investigation. Vote 10-7. Rep. William Pearson for the Minority of Election Law. This bill is an effort to prevent baseless petitions for revisions of the checklist. Such was the case in Dover last year when, after considerable expense from the Secretary of State, Attorney General, and the town of Dover, the Ballot Law Commission determined that there were no errors on the checklist and no purge was needed. While the minority does not believe that this bill is ready for passage, we do believe that the issue in Dover is significant enough to warrant further study.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Pearson spoke against.

Rep. Gray spoke in favor.

On a division vote, with 203 members having voted in the affirmative, and 121 in the negative, the majority committee report was adopted.

**SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan. OUGHT TO PASS.**

Rep. Jeffrey Goley for Executive Departments and Administration. This bill is a simple, straightforward bill that requires that the Fiscal Committee hold a public hearing before any changes are made to the state employee retiree health care plan. Prior to last year, the legislature heard public input on proposed changes to the retiree health plan because they had to go through the full legislative process. But now, the responsibility for making these policy changes has been delegated to the 10 members of the Fiscal Committee, where only agency heads are heard from, not the public. The New Hampshire legislature has always believed in the importance of taking public input, which is why every bill gets a public hearing. With an issue as complex as health care, we should be seeking all kinds of input, not just from the agency involved with a program. The committee also felt that the least we can do as we wrestle with these decisions is to give the more than 10,000 retirees who are affected by potential changes, the opportunity to have their voices heard in a public hearing. Retirees and members of the general public may have ideas that departments and the legislature may not have considered. Understanding how specific proposed changes on premiums, co-pays or plan design affect real people may lead to a better final decision, even if it is not the desired outcome of the participant. Vote 15-2.

Committee report adopted and ordered to third reading.

**SB 334, establishing a commission to study the planning functions of the office of energy and planning. WITHOUT RECOMMENDATION**

**Statement in support of Ought to Pass:** Planners help to facilitate the development of land, resources, facilities, and services for our municipalities while considering economic, social, environmental, and health impacts. When the Office of State Planning had the resources to fulfill the planning function of the NH state government, approximately 40 staff members dealt with the many and complex planning issues which confront our communities, made possible by a mix of funding resources. Over the last decade as the Office of State Planning has been folded into the Office of Energy and Planning, the planning staff has been reduced to six. Although this reflects greater efficiency and some programs being transferred to other agencies, much of the planning function has been downshifted to our towns, which has a major impact on small communities that rely on volunteers and part time staff. This bill was requested and strongly supported by the NH Planners Association to take a careful look at our planning needs and resources, and to consider how we want to ensure that we are properly resourced to help our communities and our state plan for the future.

Rep. David Borden

**Statement in support of Inexpedient to Legislate:** This bill sought to create a study commission to do research and evaluate the function, structure and operation of the Office of Energy and Planning (OEP). The bill was requested by the NH Planners Association which believes that OEP support has been declining for several years. One side of the committee felt that such a study should more appropriately be undertaken by the Governor's office since OEP is an administrative department. Since staffing and the strategic direction of OEP are directed by the Governor, that office can better determine what functions OEP should provide and the best way to accomplish those activities.

Rep. Michael Vose

Rep. Borden moved Ought to Pass and spoke in favor.

Rep. Vose spoke against.

On a division vote, with 150 members having voted in the affirmative, and 167 in the negative, the motion failed.

Rep. Vose moved Inexpedient to Legislate.

On a division vote, with 189 members having voted in the affirmative, and 130 in the negative, the motion was adopted.

**SB 386**, adding biodiesel to electric renewable energy sources. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill clarifies that the production of biodiesel in New Hampshire is a qualifying renewable fuel within Class I of the Renewable Portfolio Standard. It finally resolves an ongoing debate amongst various parties about whether or not biodiesel already falls under the existing definition of “biomass fuels” in RSA 362-F:2, II. In making it abundantly clear, the bill adds New Hampshire produced biodiesel in a limited manner, with reasonable safeguards. No one testified in opposition to the bill, and the stakeholders who work on renewable issues were either neutral or supportive. The bill doesn’t increase Class I provider requirements or rates, rather, because it diversifies Class I even more, it likely reduces the compliance trading prices in Class I. Additionally, by supporting New Hampshire produced biodiesel, this bill helps to support New Hampshire jobs and put downward pressure on home heating costs in cases where biodiesel is blended with traditional home heating oil. Vote 12-6.

Rep. Jacqueline Cali-Pitts for the Minority of Science, Technology and Energy. Many members of the committee are reluctant to change the way Renewable Portfolio Standard certificates are awarded. The bill would include biodiesel in Class I and would monetarily benefit the producers of biodiesel instead of the ordinary way in which the users of renewables to produce electricity or heat receive the benefits. Biodiesel is also not a 100% renewable form of energy. The minority felt more deliberation would have been in order considering the possible future consequences of our actions. Majority committee report adopted and ordered to third reading.

**SB 489**, requiring a demonstration project using a Stirling engine system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Backus for Science, Technology and Energy. This bill accepts an offer for the provision of a Stirling engine for a demonstration project in a state building, with a report on the results of the demonstration to be due in five years. The bill does not specify a particular provider. However, at this time the offer to provide such an engine comes from DEKA industries, which has installed such an engine in a building in the Manchester mill yard. The project involves no cost to the state. The project’s goal would be to demonstrate quantifiable energy and cost savings. Any contract would have to be without cost to the state and have to be approved by the Governor and Council. The Department of Administrative Services would be the agency to designate an appropriate site. Vote 14-4.

**Amendment (1231h)**

Amend the title of the bill by replacing it with the following:

AN ACT authorizing a demonstration project using a Stirling engine system.

Amend the bill by replacing section 1 with the following:

1 Stirling Engine System; Demonstration Project Authorized; State Building.

I. The department of administrative services may identify a state building or facility that would be a suitable candidate for a 5-year demonstration project for the installation of a Stirling engine system to provide electricity and/or heating needs for that building or facility.

II. The goal of the demonstration project is to ascertain the reliability, commercial viability, and cost effectiveness of supplying electricity and/or heat to a state-owned building using a Stirling engine system, provided that the project shall not increase the energy or heating costs of operating a state building for the period of the demonstration project.

III. The commissioner of administrative services, may enter into a contract in accordance with RSA 21-I, including approval by governor and council, not to exceed a 5-year period, for the demonstration project to be undertaken by a willing provider of a Stirling engine system. Any such contract that requires changes to the infrastructure of the state building shall be at the expense of the provider of the Stirling engine system. Any contract negotiated by the state of New Hampshire shall result in reimbursing the provider of the Stirling engine technology for electricity and/or the cost of heat provided at no more than the cost of the electricity and/or heat based on the current market rate, or the rate under any state contract for energy, whichever is lower. At the end of the demonstration project, the department of administrative services may retain any equipment provided it is in the best interest of the efficient operation of the building. If the department does not wish to retain the equipment, the provider shall remove the equipment and restore the building back to its original condition, or better, at no expense to the state, at which time any liability of the state for costs of the project shall terminate.

IV. The department of administrative services shall prepare an annual report to the governor, the senate president, the speaker of the house of representatives, and the chairman of the public utilities commission, presenting the results of any demonstration project to be filed on or before July 1 of each year of the project, and a final report filed no later than 6 months after the end of the project. The reports shall include any recommendations related to future use of Stirling engine technology if appropriate.

#### AMENDED ANALYSIS

This bill authorizes the department of administrative services to undertake a 5-year demonstration project for the use of a Stirling engine system to provide electricity and/or heat to a state building. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Halstead spoke against.

Rep. Townsend spoke in favor and yielded to questions.

Committee report adopted and referred to the Committee on Executive Departments and Administration.

**SB 356-FN**, relative to agricultural plates for vehicles of commercial fishing operations. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill simply allows commercial fishing operators to register certain vehicles using our current agricultural plates. The vehicles must be used exclusively for the fishing operation and used only within a 10-mile radius of the operation. During a period of increased regulations from the federal government, the committee hopes the reduced cost of these plates will help them survive. Vote 16-0.

Committee report adopted and ordered to third reading.

**SB 358**, relative to use of navigation devices in motor vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Werner Horn for Transportation. The “Hands Free Law” (RSA 265:79-c) prevents young drivers from utilizing navigation devices that may enable them to travel safely. This bill will enable all drivers, regardless of age, to utilize navigation services under specific circumstances. The committee amendment specifically makes mobile electronic devices available to utilize navigation services. Vote 12-2.

#### Amendment (1223h)

Amend RSA 265:79-c, V as inserted by section 1 of the bill by replacing it with the following:

V. Nothing in this section shall prohibit a driver, regardless of age, from receiving aural routing information from a hands-free global positioning device or navigation service through a mobile electronic device; or receiving turn-by-turn routing information from the screen of a global positioning device or navigation service through a mobile electronic device that is integrated into the vehicle or mounted on the dashboard, windshield, or visor of the vehicle.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 433**, relative to exclusions from seasonal highway weight limit regulation. **OUGHT TO PASS.**

Rep. Gladys Johnsen for Transportation. Seasonal weight limits on certain state roads are designed to protect the roads. There is often a need for overweight trucks to go over these roads. There are exceptions in law already, including emergency vehicles, milk trucks, maple syrup trucks and heating delivery trucks. This bill adds septic trucks to those existing exceptions. Vote 10-4.

Rep. Sykes spoke against and yielded to questions.

Rep. Steven Smith spoke in favor.

Committee report adopted and ordered to third reading.

**SB 466-FN**, relative to the detention of a minor while waiting for the disposition of his or her case. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra DeSimone for Children and Family Law. The committee agreed that this bill as amended would protect youthful offenders who have been classified as adults by detaining them at the Sununu Youth Development Center until age 18. This bill as amended also makes New Hampshire compliant with the Federal Prison Rape Elimination Act (PREA) mandates. Vote 15-0.

**Amendment (1345h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the detention of youthful offenders at the youth development center.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Sentences; Transfer of Youthful Offender. Amend RSA 651 by inserting after RSA 651:17 the following new section:

651:17-a Transfer of Youthful Offender. Any person under the age of 18 who has been certified as an adult pursuant to RSA 169-B:24 and sentenced to the state prison pursuant to RSA 651:15 or to a county correctional facility pursuant to RSA 651:17, may be transferred to the youth development center established under RSA 621 for service of their sentence until they reach the age of 18. Thereafter, any remaining portion of the sentence shall be served at the state prison or county correctional facility. The department of corrections, county correctional facilities, and the department of health and human services shall develop a memorandum of agreement which sets forth the roles and responsibilities of the parties when such a transfer occurs.

3 New Section; Youth Services Center; Service of Adult Sentence of Incarceration. Amend RSA 621 by inserting after RSA 621:35 the following new section:

621:36 Service of Adult Sentence of Incarceration at the Youth Development Center. Notwithstanding any provision of law or rule to the contrary, the department may accept any youthful offender who is transferred to the youth development center pursuant to RSA 651:17-a for service of their adult sentence of incarceration until the youth reaches the age of 18.

4 Effective Date. This act shall take effect January 1, 2017.

**AMENDED ANALYSIS**

This bill provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center. The bill also permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**SB 465-FN**, relative to the nonconsensual dissemination of private sexual images. **OUGHT TO PASS.** Rep. Len DiSesa for Criminal Justice and Public Safety. As we are all very much aware, anything that is posted on the internet is out there forever. For example, once e-mails are sent or photos posted, it is virtually impossible to pull them back. While there is much good that came with the growth of the world wide web and social networks, its massive outreach potential has spawned despicable behavior in the form of men and women who would post on the Internet what were initially very private photos or videos, many with a suggestive or even an overt sexual nature, in a malicious attempt to punish a former romantic partner or to exact revenge against that person. These photos and videos that were once sent willingly to a partner when the relationship was loving, mutual and ongoing, have been used to literally wreck the other person's life or to create a situation where he or she loses his or her job by sending the images to an employer or to fellow employees. Oftentimes the photos and/or videos are sent to the victim's children or other extended family members. Sometimes they are used as a threat for illegal leverage to prevent a victim from testifying in an ongoing domestic violence court action. The committee heard testimony from several victims of this kind of awful retaliation and the underlying thread was how devastating this was to the victims' lives. One woman testified that this occurred at the hands of her divorced husband almost ten years ago and still the photos resurface today. One female victim had left her phone in her coat pocket while she was volunteering at a shelter, only to have a male acquaintance – without her permission – access her phone and send the suggestive photos he found there to her e-mail address list, which forced her to leave the university she was attending. The committee heard testimony that was overwhelming in support of this bill from the NH Coalition Against Domestic and Sexual Violence, the Women's Information Service, the Attorney General's Office, and the Rockingham County Attorney's Office. All agreed that the language crafted in this bill was both substantive and all-encompassing and that this bill was necessary in order to effectively prosecute this kind of crime. The committee



also heard from the Manchester Police Sergeant in charge of the Domestic Violence Unit in that city and he was in total support of this bill. He specifically recounted instances where a person could have been charged under the bill's language if it had been in place at the time of the investigation. This type of reprehensible crime is being committed with more and more frequency and it affects people at every level of social strata. Twenty-six states have already enacted similar legislation and it is well tested. Vote 13-0.  
Committee report adopted and ordered to third reading.

**SB 418**, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Christie for Election Law. This bill adds active service National Guard members to the list of active-duty military personnel who may be allowed to request an absentee ballot. The bill also clarifies when voters are allowed to enter the space enclosed by the guardrail prior to receiving a ballot. The amendment modifies procedures for enrolling bills and resolutions to match current practice. Vote 17-0.

#### **Amendment (1284h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to obtaining a ballot to vote, adding National Guard members to the absentee voting laws, and relative to enrollment of laws.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Enrollment of Laws. Amend RSA 14:8 to read as follows:

14:8 Enrollment of Laws. All bills and resolutions which have passed both branches of the legislature shall be forwarded to the office of legislative services to be there enrolled and prepared for submission to the governor. After such enrollment the bill or resolution shall be forwarded *by the secretary of state* to the committee on enrolled bills for final approval[~~-After said final approval the bill or resolution shall be forwarded to the secretary of state. He shall keep such bills and resolutions~~], *and they shall be kept* as public records of the state.

#### **AMENDED ANALYSIS**

This bill:

I. Includes active service National Guard members in the definition of absent uniformed services voters.

II. Requires voters to enter the space enclosed by the guardrail prior to receiving a ballot.

III. Modifies procedures for enrolling bills and resolutions.

This bill was requested by the secretary of state.

Committee amendment adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Hoelzel offered floor amendment (1479h).

#### **Floor Amendment (1479h)**

Amend the title of the bill by replacing it with the following:

AN ACT adding National Guard members to the absentee voting laws and relative to enrollment of laws.

Amend the bill by deleting section 2 and renumbering the original sections 3-4 to read as 2-3, respectively.

#### **AMENDED ANALYSIS**

This bill:

I. Includes active service National Guard members in the definition of absent uniformed services voters.

II. Modifies procedures for enrolling bills and resolutions.

Rep. Hoelzel spoke in favor.

Floor amendment (1479h) adopted.

Committee report adopted and referred to the Committee on Legislative Administration.

**SB 481-FN**, relative to a special health care service license and establishing a fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill is relative to a special health care service license and establishing a fund which outlines steps to be taken to ensure patients will receive high quality care by any new provider offering cardiac catheterization, open heart or coronary artery bypass, graft surgery or megavoltage radiation therapy. Any new service proposed to open within 15 miles of a critical access hospital may be scrutinized if it jeopardizes the essential services offered by the critical access hospital. Vote 16-0.

**Amendment (1383h)**

Amend RSA 151:4, VII as inserted by section 3 of the bill by replacing it with the following:

VII. Any person shall have the right, within 30 days after the filing of any application, to object in writing prior to action by the department on any license on the grounds that the application does not meet the applicable requirements of this chapter or any rule adopted under this chapter. If the license is granted by the department over a timely objection, the person who objected shall have a right to request a rehearing by the commissioner of the department of health and human services under RSA 541:3 within 30 days and to appeal under RSA 541 based on the grounds stated in the objection. If the license is denied by the department in the first instance or after rehearing, the applicant may appeal within 30 days of the date of the department's notice of decision to the supreme court.

Committee amendment adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.

Rep. Dan McGuire offered floor amendment (1458h).

**Floor Amendment (1458h)**

Amend RSA 151:2-e, II as inserted by section 1 of the bill by replacing it with the following:

II. In this chapter, "special health care service" means:

- (a) Cardiac catheterization laboratory services;
- (b) Open heart surgery or coronary artery bypass graft surgery; and
- (c) Megavoltage radiation therapy.

Rep. Dan McGuire spoke in favor.

Rep. Kotowski spoke against.

On a division vote, with 123 members having voted in the affirmative, and 188 in the negative, floor amendment (1458h) failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Edelblut spoke against.

**(Rep. Packard in the Chair)**

Reps. Fothergill and Stephen Schmidt spoke in favor.

Rep. Joanne Ward spoke against.

Reps. Dan McGuire and Sanborn spoke against and yielded to questions.

**MOTION TO LAY ON THE TABLE**

Rep. Baldasaro moved that **SB 481-FN**, relative to a special health care service license and establishing a fund, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 129 NAYS 182**

**YEAS - 129****BELKNAP**

Aldrich, Glen  
Spanos, Peter

Howard, Raymond  
Fraser, Valerie

Hurt, George  
Vadney, Herbert

LeBreche, Shari

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Tilton, Benjamin	Hunt, John	Roberts, Kris	McConnell, James
Sterling, Franklin			

**COOS**

Rideout, Leon

**GRAFTON**

Darrow, Stephen	Johnson, Eric	Gionet, Edmond	Hull, Robert
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**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Coffey, James	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Hopper, Gary	Belanger, James
Rice, Kimberly	Ober, Lynne	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Pellegrino, Anthony	Proulx, Mark	Christie, Rick
Rouillard, Claire	Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Souza, Kathleen	Straight, Phillip	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

**MERRIMACK**

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Karrick, David	Kenison, Linda	Kuch, Bill
Marple, Richard	Martin, John	Seaworth, Brian	Wheeler, Deborah

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Bates, David	Cardon, G. Thomas	Chirichiello, Brian	Thomas, Douglas
Dean-Bailey, Yvonne	Doucette, Fred	Duarte, Joe	Emerick, J. Tracy
Rice, Frederick	Gannon, William	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
Osborne, Jason	Gordon, Richard	Tilton, Rio	Schroadter, Adam
Spillane, James	True, Chris	Tucker, Pamela	Vose, Michael
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Beaudoin, Steven	Berube, Roger	Cheney, Catherine	DeLemus, Susan
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Thomas
Knowles, Robert	Turcotte, Leonard	Leeman, Don	Mullen, John
Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt	

**SULLIVAN**

Rollins, Skip

**NAYS - 182**

**BELKNAP**

Tilton, Franklin	Fields, Dennis	Flanders, Donald	Gallagher, Brian
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**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Ames, Richard  
Emerson, Susan  
Pearson, William  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy

Bordenet, John  
Mann, John  
Sad, Tara

**COOS**

Fothergill, John  
Richardson, Herbert

Frobург, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihn, Wayne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Brown, Rebecca

Bailey, Brad  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Bennett, Travis  
Ladd, Rick  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Beaulieu, Jane  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
Lachance, Joseph  
Mangipudi, Latha  
Pierce, David  
Rosenwald, Cindy  
Soucy, Timothy  
Wolf, Terry

Balcom, John  
Booras, Efstathia  
Sullivan, Daniel  
Forest, Armand  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
LeBrun, Donald  
Manley, Jonathan  
Porter, Marjorie  
Rowe, Robert  
Takesian, Charlene  
Woodbury, David

Baroody, Benjamin  
Cohen, Alan  
Danielson, David  
Freitas, Mary  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
Leishman, Peter  
McCarthy, Peggy  
Ober, Russell  
Shattuck, Gilman  
Vann, Ivy

Barry, Richard  
Cornell, Patricia  
DiSilvestro, Linda  
Gagne, Larry  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Christiansen, Lars  
O'Brien, Michael  
Peterson, Ken  
Walsh, Robert  
Shaw, Barbara  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Hirsch, Geoffrey  
Moffett, Howard  
Shurtliff, Stephen

French, Barbara  
Doherty, David  
Frazer, June  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Gile, Mary  
Kotowski, Frank  
Saunderson, George

Bradley, Paula  
Henle, Paul  
MacKay, James  
Schuett, Dianne

**ROCKINGHAM**

Azarian, Gary  
Cahill, Michael  
DiFranco, Debbie  
Friel, William  
Hoelzel, Kathleen  
McBeath, Rebecca  
O'Connor, John  
Simpson, Alexis

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Ward, Gerald  
Katsakiores, Phyllis  
McMahon, Charles  
Potucek, John  
Sytek, John

Berrien, Skip  
Cushing, Robert  
Elliott, Robert  
Guthrie, Joseph  
Lovejoy, Patricia  
Milz, David  
Belanger, Ronald  
Webb, James

Borden, David  
Devine, James  
Francesse, Paula  
Heffron, Frank  
Griffin, Mary  
Nigrello, Robert  
Sherman, Thomas  
Welch, David

**STRAFFORD**

Baber, William  
Gardner, Janice  
Smith, Marjorie  
Spang, Judith

Bickford, David  
Gray, James  
Schmidt, Peter  
Sprague, Dale

Bixby, Peter  
Horrigan, Timothy  
Rollo, Deanna  
Treleaven, Susan

Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Oxenham, Lee  
and the motion failed.

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
O'Hearne, Andrew

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Weber spoke in favor.

**(Speaker Jasper in the Chair)**

Rep. Kappler requested a roll call; sufficiently seconded.

**YEAS 198 NAYS 114****YEAS - 198****BELKNAP**

Tilton, Franklin

Fields, Dennis

Flanders, Donald

Gallagher, Brian

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Mann, John  
Sad, Tara

Ames, Richard  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

Berch, Paul  
Johnsen, Gladys  
Pearson, William  
Weber, Lucy

Bordenet, John  
Roberts, Kris  
Robertson, Timothy

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Brown, Rebecca

Almy, Susan  
Brown, Duane  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Bailey, Brad  
Darrow, Stephen  
Ladd, Rick  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Ford, Susan  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Beaulieu, Jane  
Cornell, Patricia  
DiSilvestro, Linda  
Gagne, Larry  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Christiansen, Lars  
Leishman, Peter  
McCarthy, Peggy  
Porter, Marjorie  
Rowe, Robert  
Souza, Kathleen  
Wolf, Terry

Balcom, John  
Booras, Efstathia  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
Ober, Lynne  
O'Brien, Michael  
Pellegrino, Anthony  
Proulx, Mark  
Shattuck, Gilman  
Takesian, Charlene  
Woodbury, David

Baroody, Benjamin  
Coffey, James  
Sullivan, Daniel  
Forest, Armand  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Judy, Jean  
Lachance, Joseph  
Mangipudi, Latha  
Peterson, Ken  
Walsh, Robert  
Shaw, Barbara  
Vann, Ivy

Barry, Richard  
Cohen, Alan  
Danielson, David  
Freitas, Mary  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
LeBrun, Donald  
Manley, Jonathan  
Pierce, David  
Rosenwald, Cindy  
Soucy, Timothy  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 Henle, Paul  
 Kenison, Linda  
 Rogers, Katherine  
 Wallner, Mary Jane

French, Barbara  
 Doherty, David  
 Hirsch, Geoffrey  
 Kotowski, Frank  
 Saunderson, George  
 Wheeler, Deborah

Bartlett, Christy  
 Gile, Mary  
 Frazer, June  
 MacKay, James  
 Schuett, Dianne

Bradley, Paula  
 French, Harold  
 Karrick, David  
 Moffett, Howard  
 Shurtleff, Stephen

**ROCKINGHAM**

Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 DiFranco, Debbie  
 Rice, Frederick  
 Heffron, Frank  
 Matthews, Carolyn  
 Nigrello, Robert  
 Tilton, Rio  
 Webb, James

Berrien, Skip  
 Cardon, G. Thomas  
 Doucette, Fred  
 Francese, Paula  
 Hoelzel, Kathleen  
 McBeath, Rebecca  
 O'Connor, John  
 Sherman, Thomas  
 Welch, David

Borden, David  
 Cushing, Robert  
 Edgar, Michael  
 Ward, Gerald  
 Lovejoy, Patricia  
 McMahon, Charles  
 Packard, Sherman  
 Simpson, Alexis

Cahill, Michael  
 Devine, James  
 Elliott, Robert  
 Guthrie, Joseph  
 Major, Norman  
 Milz, David  
 Belanger, Ronald  
 Sytek, John

**STRAFFORD**

Baber, William  
 Cilley, Jacalyn  
 Kaen, Naida  
 Rollo, Deanna  
 Treleaven, Susan

Berube, Roger  
 Gardner, Janice  
 Leeman, Don  
 Southworth, Thomas  
 Wall, Janet

Bickford, David  
 Gray, James  
 Smith, Marjorie  
 Spang, Judith

Bixby, Peter  
 Horrigan, Timothy  
 Schmidt, Peter  
 Sprague, Dale

**SULLIVAN**

Cloutier, John  
 Grenier, James  
 Oxenham, Lee

Converse, Larry  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 Laware, Thomas

Gottling, Suzanne  
 O'Hearne, Andrew

**NAYS - 114****BELKNAP**

Aldrich, Glen  
 Spanos, Peter

Howard, Raymond  
 Fraser, Valerie

Hurt, George  
 Vadney, Herbert

LeBreche, Shari

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

**CHESHIRE**

Tilton, Benjamin

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Rideout, Leon

**GRAFTON**

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
 Boehm, Ralph  
 Edelblut, Frank  
 Gould, Linda  
 Hopper, Gary  
 McLean, Mark  
 Notter, Jeanine  
 Rouillard, Claire  
 Simmons, Tammy  
 Zaricki, Nick

Ammon, Keith  
 Burt, John  
 Estevez, Eric  
 Halstead, Carolyn  
 Belanger, James  
 Moore, Josh  
 Ohm, Bill  
 Sanborn, Laurie  
 Straight, Phillip

Griffin, Barbara  
 Byron, Frank  
 Ferreira, Elizabeth  
 Hansen, Peter  
 Rice, Kimberly  
 Murotake, David  
 Christie, Rick  
 Scontsas, Lisa  
 Twombly, Timothy

Biggie, Barbara  
 Eastman, Eric  
 Fromuth, Bart  
 Hogan, Edith  
 McClarren, Donald  
 Murphy, Keith  
 Ober, Russell  
 Seidel, Carl  
 Ulery, Jordan

**MERRIMACK**

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Hess, David	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Marple, Richard	Martin, John	Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Chirichiello, Brian	Thomas, Douglas
Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy	Friel, William
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Sweeney, Joe	Ward, Joanne	Kappler, Lawrence	Katsakiores, Phyllis
Griffin, Mary	Manning, John	McKinney, Betsy	Osborne, Jason
Potucek, John	Gordon, Richard	Schroadter, Adam	Spillane, James
True, Chris	Tucker, Pamela	Vose, Michael	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Baudoin, Steven	Cheney, Catherine	DeLemus, Susan	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Thomas	Knowles, Robert
Turcotte, Leonard	Mullen, John	Pitre, Joseph	Whitehouse, Joshua
Wuelper, Kurt			

**SULLIVAN**

Rollins, Skip  
and the committee report was adopted and referred to the Committee on Finance.

**SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. **OUGHT TO PASS.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Historically, Medicaid home health care services had to be delivered inside the recipient’s home. This bill recognizes the therapeutic benefits of being able to deliver care outside the home, when appropriate. The bill tracks recent changes to this effect in the federal rules. The bill does not change the amount of services allocated to a recipient, it just allows delivery of services in a wider setting. The bill also amends the Licensed Nursing Assistant Scope of Practice statute to make it clear that licensed nursing assistants (LNAs) may deliver services outside the home, or a health care facility. This ensures that LNAs may provide services in a school or community setting, when appropriate. Vote 18-0. Committee report adopted and referred to the Committee on Finance.

**SB 496-FN**, relative to personal care attendant services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill addresses the services provided by personal care attendants. This bill allows personal care services to be delivered in locations in which normal life activities occur. Without this bill, an attendant could not assist their client on the front porch of their residence, but with this bill they can. This bill allows severely physically disabled persons to receive care outside the home. This bill does not increase the hours of service available, but expands the places where services can be offered. Vote 18-0.

**Amendment (1342h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Personal Care for the Severely Physically Disabled; Definitions. Amend RSA 161-E:1, III to read as follows:

III. “Severely physically disabled person” shall mean an *adult* individual *over the age of 18* who has been approved to participate in an independent living program and who requires a minimum of 2 hours of medically oriented personal care per day in order to maintain himself or herself in a noninstitutional setting. Such care may include [hands-on] assistance in the following areas: basic personal care and grooming, assistance with bladder and bowel care, assistance with medications, assistance with nutrition including meal preparation and essential household services.

2 Personal Care for the Severely Physically Disabled; Personal Care Attendant Services Program. Amend RSA 161-E:2 to read as follows:

161-E:2 Services Provided. The commissioner of the department of health and human services shall develop a program under which severely physically disabled persons eligible for coverage under medical assistance programs are provided with personal care attendants to provide ~~on a periodic basis~~ medically oriented long-term maintenance and supportive care to assist them, as is required in each individual case, to maintain themselves in their homes and gain greater control over their own lives. *Personal care services under this chapter shall be delivered in locations in which normal life activities occur.*

3 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill clarifies the definition of a severely physically disabled person and includes access to the community for such persons under the law governing personal care for the severely physically disabled.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**SB 535-FN-A**, establishing a grant program for high schools for heroin and opiate prevention education. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill sought a one-year fund for a single program to provide a heroin and opiate prevention educational session to high schools. The committee felt this program should be considered along with all other programs. The state's response to the opioid epidemic needs to be well coordinated. This coordination should include the Governor's Commission on Alcohol and Drug Abuse Prevention, treatment and recovery, local schools as well as many others. Ear marking money for a single program is contrary to this strategy. Vote 13-0.

Reps. Duane Brown and Cooney spoke against.

Reps. Fothergill and Lynne Ober spoke in favor.

On a division vote, with 193 members having voted in the affirmative, and 91 in the negative, the committee report was adopted.

#### RESOLUTION

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, May 11, 2016 at 10:00 a.m.

#### LATE SESSION

##### Third Reading and Final Passage

**SB 152**, relative to criminal history records checks for school employees and designated school volunteers.

**SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies.

**SB 450**, relative to investments by insurance companies.

**SB 468-FN**, relative to changes to the sex offender registry.

**SB 475-FN**, requiring law enforcement agencies to file crime reports with the department of safety.

**SB 517-FN**, increasing the amount deducted from a fine for each day of a person's incarceration.

**SB 326**, relative to the membership of the community college system of New Hampshire board of trustees.

**SB 353**, relative to names on ballots.

**SB 456-FN**, relative to reporting of receipts and expenditures by candidates and candidate committees.

**SB 345**, relative to the definition of agritourism.

**SB 524**, relative to state procurement card rebates.

**SB 427**, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings.

**SB 341**, establishing a committee to study guardianship in New Hampshire.

**SB 352**, naming a cove in Lake Winnepesaukee as Ritson Cove.



**SB 374**, requiring the department of environmental services to update coastal flooding trends.  
**SB 375**, establishing the coastal marine natural resources and environment commission.  
**SB 461-FN**, relative to expenditures of the Winnepesaukee River Basin control program funds.  
**SB 484**, relative to the role of the Winnepesaukee River advisory board.  
**SB 309**, relative to sulfur limits of certain liquid fuels.  
**SB 377**, relative to emission levels of municipal waste combustion units.  
**SB 357**, relative to driver's license examinations.  
**SB 359**, relative to funding electric vehicle charging stations with municipal registration permits.  
**SB 362**, requiring notice to planning boards of placement of signs on scenic byways.  
**SB 519**, relative to highway signs.  
**SB 343**, establishing a commission to study apportionment of gross business profits under the business profits tax.  
**SB 344-FN**, relative to tax credits applicable to client companies of employee leasing companies.  
**SB 442-FN**, establishing a commission to study the taxability of lease interests in public property.  
**SB 488-FN-L**, establishing an advisory council on lactation.  
**SB 543-FN**, relative to private transferring of adopted children.  
**SB 323**, relative to the use of force by employees of hospitals or other health care facilities.  
**SB 509-FN**, relative to voter registration forms and relative to voter identity verification.  
**SB 388**, requiring a public hearing on proposed changes to the state retiree group insurance plan.  
**SB 386**, adding biodiesel to electric renewable energy sources.  
**SB 356-FN**, relative to agricultural plates for vehicles of commercial fishing operations.  
**SB 358**, relative to use of navigation devices in motor vehicles.  
**SB 433**, relative to exclusions from seasonal highway weight limit regulation.  
**SB 465-FN**, relative to the nonconsensual dissemination of private sexual images.

### UNANIMOUS CONSENTS

Reps. Biggie and Weber requested Unanimous Consent of the House regarding an apology and addressed the House.  
 Rep. Leeman requested Unanimous Consent of the House regarding the earthquake in Ecuador and addressed the House.  
 Rep. Dan McGuire requested Unanimous Consent of the House regarding the constitution and addressed the House.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
 Motion adopted.

The House recessed at 3:40 p.m.

### RECESS

(Rep. Schuett in the Chair)

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 216, 351, 499, 1219, 1225 and 1285 and Senate Bills numbered 25, 237, 257, 312, 314, 316, 322, 328, 370, 371, 390, 392, 397, 398 and 446.

Rep. Hinch, Sen. Prescott for the Committee

### REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 480-FN-A**, relative to the historical fund.

### SENATE MESSAGES

### CONCURRENCE

**HB 601-FN**, relative to cash dispensing machine requirements.  
**HB 1124**, relative to the membership of the occupational therapy governing board.

**HB 1130**, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.  
**HB 1154-FN**, authorizing and regulating the use of license plate scanning devices.  
**HB 1175-FN**, relative to post-judgment real estate liens.  
**HB 1195**, relative to prepayment contracts for petroleum products.  
**HB 1202**, relative to applications submitted to a planning board.  
**HB 1223**, relative to changes of address on election day.  
**HB 1226**, relative to administration of pharmaceutical agents by optometrists.  
**HB 1292**, relative to the use of abandoned agricultural property.  
**HB 1329**, relative to transportation of alcoholic beverages.  
**HB 1331**, relative to the membership of the compensation appeals board.  
**HB 1340**, relative to producer licensing.  
**HB 1352-FN**, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.  
**HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom.  
**HB 1378**, relative to disabled voters requiring assistance.  
**HB 1409**, relative to life, accident, and health insurance.  
**HB 1410**, relative to motor vehicle coverage.  
**HB 1450**, relative to risk-based capital for insurers.  
**HB 1451-FN**, relative to the annulment of certain criminal offenses.  
**HB 1459**, relative to commercial coverage.  
**HB 1467**, relative to notice of village district elections.  
**HB 1515**, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.  
**HB 1579**, relative to regulation of the practice of out-of-state brokers by the real estate commission.  
**HB 1587**, relative to limitations on capital reserve funds of counties.  
**HB 1599-FN**, relative to shining a laser pointing device at an aircraft or vessel, or at another person.  
**HB 1618**, relative to debt adjustment services.  
**HB 1655-FN**, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

#### **REFERRED FOR INTERIM STUDY**

**HB 334**, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.  
**HB 1114**, relative to the number of inspectors of election.

#### **LAIID ON THE TABLE**

**HB 1231**, relative to school district policy regarding objectionable course material.

#### **NONCONCURRENCE**

**HB 617-FN-A**, requiring state police to wear a camera when interacting with the public.  
**HB 1232**, relative to visits to schools by non-academic government or private organizations.  
**HB 1288**, relative to the National Guard force protection policy.  
**HB 1434-FN**, relative to out-of-home placements under the child protection act.  
**HB 1569-FN**, relative to volunteers under the department of resources and economic development.  
**HB 1631-FN**, relative to penalties for possession of marijuana.

#### **CONCURRENCE WITH AMENDMENTS**

**SB 378**, relative to the availability of net metering tariffs.  
**SB 545**, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention Day, and August as Cure all Cancer month.

#### **RECESS**

**(Rep. Gottling in the Chair)**

#### **ENROLLED BILL AMENDMENT**

**SB 378**, relative to the availability of net metering tariffs. (Amendment printed SJ 4/21/16)  
Motion adopted.

**RECESS****(Speaker Jasper in the Chair)****ENROLLED BILL AMENDMENTS****HB 377**, establishing a state geographic information system committee.**Amendment 2016-1544EBA**

Amend RSA 4-F:1, II as inserted by section 2 of the bill by replacing line 23 with the following:

(e) A regional planning commissioner, appointed by the New Hampshire Association of  
 Amend RSA 4-F:1, III as inserted by section 2 of the bill by replacing line 2 with the following:  
 resources with the exception of information that is nonpublic, is statutorily restricted, or is part of a  
 Motion adopted.

**HB 1289**, making technical corrections to certain tax laws.**Amendment 2016-1561EBA**

Amend RSA 84-C:5, I as inserted by section 6 of the bill by replacing line 1 with the following:

I. Except as provided in RSA 84-C:5-a *and rules adopted pursuant to RSA 84-C:9, I-a*,  
 Motion adopted.

**HB 1239**, relative to certain terminology in the education statutes.**Amendment 2016-1567EBA**

Amend section 3 of the bill by replacing line 1 with the following:

3 Statewide Education Improvement and Assessment Program; Statement of Purpose.  
 Amend RSA 193-E:1, II as inserted by section 6 of the bill by replacing line 4 with the following:  
 system, the state establishes[~~through~~] *minimum standards for public* school approval [~~and~~  
 Amend RSA 193-E:2-a, VI as inserted by section 7 of the bill by replacing line 3 with the following:  
*approval*]” [shaH] mean the applicable criteria that public schools and public academies shall meet in  
 Motion adopted.

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered  
 535, 1116, 1165, 1181, 1197, 1208, 1220, 1244, 1245, 1283, 1290, 1300, 1332, 1497 and 1665 and  
 Senate Bills numbered 313, 330, 332, 378, 400 and 460.

Rep. Hinch, Sen. Prescott for the Committee

**RECESS****(Speaker Jasper in the Chair)****ENROLLED BILL AMENDMENTS****HB 1195**, relative to prepayment contracts for petroleum products.**Amendment 2016-1600EBA**

Amend section 1 of the bill by replacing line 2 with the following:

RSA 339:79, III and RSA 339:79, III(a) to read as follows:

Motion adopted.

**HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law.**Amendment 2016-1707EBA**

Amend RSA 263:42, I-c as inserted by section 13 of the bill by replacing line 1 with the following:

I-c. For the conversion of a driver's license to an enhanced driver's license, which shall be for  
 Motion adopted.

**SB 386**, adding biodiesel to electric renewable energy sources. (Amendment printed 4/28/16)  
 Motion adopted.

**SENATE MESSAGES****CONCURRENCE**

- HB 659-FN-L**, relative to eligibility for an absentee ballot.  
**HB 1170**, relative to special permits for OHRV operation in Jericho Mountain State Park.  
**HB 1264**, relative to carnival or amusement ride inspections.  
**HB 1266-FN**, legalizing firecrackers.  
**HB 1286**, relative to days when fishing without a license is permitted.  
**HB 1294**, relative to exemptions from licensure as a massage therapist.  
**HB 1349-FN**, relative to the location of the Merrimack county superior court.  
**HB 1391**, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.  
**HB 1588**, repealing certain prohibitions on employment of state employees.

**REFERRED FOR INTERIM STUDY**

- HB 1141**, defining “agritourism.”  
**HB 1586-FN**, prohibiting the impersonation of an emergency medical technician or firefighter.  
**HB 1633-FN**, relative to the use of the Family and Medical Leave Act time as it applies to workers’ compensation.

**NONCONCURRENCE**

- HB 513**, relative to complaint investigation procedures of the guardian ad litem board.  
**HB 594-FN-A**, establishing keno.  
**HB 1381-FN**, relative to the sale of smoke bombs.  
**HB 1445-FN**, relative to tinted windows on motor vehicles.  
**HB 1540-FN**, relative to direct shipments of beer.  
**HB 1626-FN**, relative to drug take-back programs.  
**HB 1654-FN**, relative to flying a drone above a correctional facility.

**CONCURRENCE WITH AMENDMENTS**

- SB 343**, establishing a commission to study apportionment of gross business profits under the business profits tax.  
**SB 358**, relative to use of navigation devices in motor vehicles.  
**SB 375**, establishing the coastal marine natural resources and environment commission.  
**SB 442-L**, establishing a commission to study the taxability of lease interests in public property.

**ENROLLED BILL REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered HB 1616.

Rep. Hinch, Sen. Prescott for the Committee

**RECESS**

**(Rep. Haefner in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 377 and 1289 and Senate Bill numbered 427.

Rep. Hinch, Sen. Prescott for the Committee

**ENROLLED BILL AMENDMENTS**

- HB 1331**, relative to the membership of the compensation appeals board.

**Amendment 2016-1776EBA**

Amend section 1 of the bill by replacing line 1 with the following:

1 Compensation Appeals Board; Membership. RSA 281-A:42-a, I is repealed and reenacted to read as follows:

Amend RSA 281-A:42-a, I as inserted by section 1 of the bill by replacing line 11 with the following: or human resources or administrative law. As a condition to maintaining eligibility to hear Motion adopted.

**HB 1349**, relative to the Merrimack county superior court.

**Amendment 2016-1895EBA**

Amend 2015, 220:1, II, D as inserted by section 1 of the bill by replacing lines 1-5 with the following:

D. Court Facilities

1. Merrimack County Superior Court  
New Courthouse \*

[~~16,600,000~~]**15,700,000**

2. Hampton Circuit Court, Architectural/Engineering

300,000

3. Milford Circuit Court, Architectural/Engineering

255,500

Motion adopted.

**HB 1618**, relative to debt adjustment services.

**Amendment 2016-1898EBA**

Amend RSA 399-D:7, I(b) as inserted by section 1 of the bill by replacing it with the following:

- (b) File an annual report pursuant to RSA 399-D:9, I(a).

Amend RSA 399-D:7, III as inserted by section 1 of the bill by replacing line 3 with the following:  
RSA 399-D:21.

Amend RSA 399-D:12, I as inserted by section 1 of the bill by replacing line 11 with the following:  
and vaults of all such persons, and may require the attendance of any person to examine him or

Amend RSA 399-D:12, III as inserted by section 1 of the bill by replacing line 1 with the following:

III. The department may subpoena witnesses and administer oaths and compel, by

Amend RSA 399-D:12, V as inserted by section 1 of the bill by replacing line 3 with the following:  
institutions for the cost of examinations under RSA 383:11, except when the principal office of the

Amend RSA 399-D:12, VI(a) as inserted by section 1 of the bill by replacing line 8 with the following:  
commissioner within 7 calendar days and shall return the files selected by the commissioner to the

Amend RSA 399-D:12, VI(b) as inserted by section 1 of the bill by replacing line 2 with the following:  
shall subject a licensee or person to a fine of \$50 per day for each day after 21 days that the files and

Amend RSA 399-D:12, VII as inserted by section 1 of the bill by replacing line 3 with the following:  
business of debt adjustment, or is participating in such business as principal, agent, broker, or

Amend RSA 399-D:14, II(a) as inserted by section 1 of the bill by replacing it with the following:

- (a) A clear description of the services to be provided to the debtor;

Amend RSA 399-D:16, IV(a) as inserted by section 1 of the bill by replacing it with the following:

- (a) Every 90 days;

Amend RSA 399-A:18 as inserted by section 1 of the bill by replacing line 1 with the following:  
399-D:18 Powers of the Commissioner.

Amend RSA 399-D:19, I(b) as inserted by section 1 of the bill by replacing line 1 with the following:

- (b) Barring any person from licensure if it is in the public interest and the applicant,

Motion adopted.

**SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. (Amendment printed SJ 5/5/16)

Motion adopted.

**SB 543-FN**, relative to private transferring of adopted children. (Amendment printed SJ 5/5/16)

Motion adopted.

**RECESS**

**(Speaker Jasper in the Chair)**

**ENROLLED BILL AMENDMENT**

**SB 375**, establishing the coastal marine natural resources and environment commission. (Amendment printed SJ 5/12/16)

Motion adopted.

**SENATE MESSAGES**

**CONCURRENCE**

**HB 466**, relative to farm tractor plates for certain specialized vehicles.

**HB 582-FN**, repealing the license requirement for carrying a concealed pistol or revolver.

**HB 1280**, relative to grounds for modification of parental rights and responsibilities.  
**HB 1287**, repealing a provision of the harassment statute.  
**HB 1302**, relative to driver's license requirements for operation of a mixed use school bus.  
**HB 1316**, relative to hospital rates for self-pay patients.  
**HB 1357**, relative to the duties of the department of cultural resources.  
**HB 1394**, relative to the appropriation for developmental services.  
**HB 1403**, relative to reinsurance.  
**HB 1452**, relative to motor vehicle laws applicable to diplomats and certain officials.  
**HB 1594-FN**, relative to emergency medical services.  
**HB 1601**, relative to certain continuing care communities.  
**HB 1664-FN**, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.  
**HCR 12**, urging support of the 65/25 initiative in New Hampshire.

### **REFERRED FOR INTERIM STUDY**

**HB 1279**, relative to grounds for termination of parental rights.  
**HB 1478**, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments.  
**HB 1493**, relative to ownership of DNA.

### **LAIID ON THE TABLE**

**HB 629-FN**, relative to induced termination of pregnancy statistics.  
**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders.  
**HB 1252**, permitting employers to pay wages to employees weekly or biweekly.  
**HB 1570-FN**, repealing the law governing access to reproductive health care facilities.

### **NONCONCURRENCE**

**HB 1117**, establishing a child support maximum under the guidelines based on the parents' combined income.  
**HB 1118**, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility.  
**HB 1127**, relative to qualifications of referees in the superior courts and circuit courts.  
**HB 1152**, relative to the definition of specialty beer.  
**HB 1188**, relative to the brew pub license.  
**HB 1211**, relative to requirements for certain alcoholic beverage licenses.  
**HB 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent.  
**HB 1236**, relative to hearings on modifications of parental rights and responsibilities.  
**HB 1248**, relative to the waiver of counsel in juvenile delinquency proceedings.  
**HB 1250**, relative to medical neglect of children.  
**HB 1270**, relative to a jury's determination as to the applicability of a law.  
**HB 1338**, relative to student exemption from the statewide assessment.  
**HB 1370**, relative to termination of tenancy.  
**HB 1408-FN**, relative to a school building inventory.  
**HB 1471**, relative to parental rights.

### **RECESS**

#### **(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.  
Motion adopted.

**HOUSE JOURNAL NO. 13**

Wednesday, May 11, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by the member from Salem, Representative Robert Elliott.

Almighty God, from whom we come and to whom we all shall one day return, we thank Thee for another 24 hours of this precious gift we call life. As we begin our difficult day, we ask Thee to give us keen minds, and pure hearts to do what is best. We ask Thee to bless each one of us this day, as we few, we precious few, go about our work representing all of our people. We ask Thee to keep us humble when our egos begin to swell. We ask Thee to grant us patience when our tempers begin to grow thin. We ask Thee to grant us renewed strength when we start to grow tired. Remind us to be kind to one another and let us not be politicians, but public servants. Thus will we always be faithful stewards of all the heavy responsibilities that You have placed upon each one of us. May God bless the Speaker of the House as he continues to walk in paths of righteousness and justice. May God bless our gloriously beautiful State of New Hampshire and with all the dangers within and without our country, we ask Thee to continue to still, "Stand beside us, and guide us through the night with a light from above. From the mountains, to the prairies, to the ocean, white with foam. God bless America, our home sweet home." Amen.

Representative Mary Cooney, member from Plymouth, led the Pledge of Allegiance.

The National Anthem and America the Beautiful was sung by Caroline Burns of Hollis.

**LEAVES OF ABSENCE**

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Bush, Comtois, Kellogg, Moody, Priestley, Rappaport, Russell and Sanders, the day, illness.

Reps. Beaulieu, Rebecca Brown, Dumais, Halstead, Hirsch, Jeudy, Frank McCarthy, Peggy McCarthy, Moore, Mullen, Oligny, Shackett, Daniel Sullivan, Tamburello, Tucker, Vadney and Woitkun, the day, important business.

Reps. Alicea and McKinney, the day, illness in the family.

**INTRODUCTION OF GUESTS**

Kay Williams, Jan Simone, Colonel Michael Simone, Mother, Sister and Brother-in-law, guests of Kermit Williams. David Woolpert, guest of Reps. Barbara French and Geoffrey Hirsch. Marcy Katz Rothenberg and Peg Lipin, guests of Rep. Heath. Linda Twombly, wife of Rep. Twombly. Donovan Fenton, guest of Rep. Cynthia Chase. The Honorable Jan Schmidt, former member from Nashua, Patricia Klee, and Pam Swersky, guests of Rep. Rosenwald. Steve and Rhonda Burns, parents of the singer, guests of Rep. James Belanger. Former Speaker of the House Terie Norelli, Former Clerk of the House Karen Wadsworth, and members of former Deputy Speaker Linda Foster's family, including her husband, Scott Foster, guests of the House.

Samantha Schwarz, student at Kingswood Regional High School, Page for the day.

**UNANIMOUS CONSENT**

Rep. Wallner requested Unanimous Consent of the House regarding memorial remarks for the former member from Mont Vernon, the Honorable Linda Foster.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the former member from Mont Vernon, the Honorable Linda Foster.

**MOTION TO PRINT REMARKS**

Without objection, the Speaker ordered the remarks made by Rep. Wallner during Unanimous Consent be printed in the Permanent Journal.

## REMARKS

**Representative Wallner:** Good morning Mister Speaker and members of the House. I rise before you this morning to celebrate and remember our colleague, the Honorable Linda Foster. I am joined at the podium today by members of the Democratic leadership, including the Chairs and Vice Chairs when Linda was serving as Deputy Speaker. I also wish to recognize some visitors in the gallery. Former Speaker Terie Norelli, former House Clerk Karen Wadsworth and members of Linda Foster's family, including her husband, Scott. Welcome. Linda came to the House in 1993 and served on four committees over the course of her eight terms on the House. She was on Municipal and County, Local and Regulated Revenues, Finance and Rules. In 1999, Linda was named as an Assistant Democratic Leader and in 2001 was appointed as Democratic Policy Leader. After the 2006 election, when Democrats took the majority of the New Hampshire House, after a hiatus of 150 years, Speaker Terie Norelli asked Linda Foster to be her Deputy Speaker. Representative Foster served as Deputy Speaker for four years. It did not take Linda long after her arrival at the State House to get busy representing her constituents and New Hampshire's small towns. An often repeated mantra of Linda's would be, "Those people from the cities, they don't get what it's like to be from a small town." Linda fulfilled her role as advocate for small towns by passing into law legislation that did much to help at the local, municipal and school district levels. Teaching came naturally to Linda, a skill she embraced all her life. Linda taught special education at the Mount Hope School for the Handicapped in Nashua and later served as a substitute teacher and a special education assistant at the Milford Area Senior High School. Many of Linda's friends have described her as being fun and indeed Linda had a playful side. A visit to her office at the State House was an encounter with Linda's menagerie of frogs, wild, natural and just plain gorgeous. On returning from a trip to the Southwest, Linda gleefully showed off her newly acquired cowgirl boots. A beautifully tooled pair of handsome boots that she relished wearing to the Speaker's podium while wielding the gavel. As Speaker Norelli said at Linda's memorial service in March, "Even in the politically-charged environment of the State House, Linda was one of those rare politicians with whom everyone got along. She was always ready with a smile and a warm greeting and she made friends with Democrats and Republicans alike, taking time to get to know them personally. I never heard Linda speak harshly about her colleagues, but ever the teacher, she might suggest some changes in their grammar." For her it was never about personality, but about the policies we were considering. She brought her unique viewpoint to the table. She wasn't in it for any kind of glory or recognition. Just to do the right thing for her community, as she also did by serving on the board of Southern New Hampshire Services. The rest of us benefited from her experience with that organization as well, because she learned about the needs of the people of our state and she shared that knowledge with her colleagues. Linda's family was always her top priority and it was those shining stars, her grandchildren, who ultimately caused her to retire from the House. We are very grateful to Linda and her family for the time that Linda gave to us. I want to assure Linda's family that her work here was valued and helped to make New Hampshire a better state for our citizens. We will miss her dearly.

## SENATE MESSAGES

### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 356**, establishing a commission to study cryptocurrency regulation. (Amendment printed SJ 4/21/16)

Rep. Hunt moved that the House concur and spoke in favor.

Motion adopted.

**HB 1105**, establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors. (Amendments printed SJ 4/7/16)

Rep. Hunt moved that the House concur and spoke in favor.

Motion adopted.

**HB 1685-FN**, relative to mortgage bankers, brokers, and servicers. (Amendment printed SJ 4/28/16)

Reps. Hunt and Major moved that the House concur.

Rep Hunt spoke in favor.

Motion adopted.



**HB 1353**, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. (Amendment printed SJ 5/5/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

**HB 1415**, relative to escape from official custody. (Amendment printed SJ 5/5/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

**HB 1426-FN**, relative to earned time credits for prisoners participating in educational programming. (Amendment printed SJ 4/21/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

**HB 1628-FN**, relative to human trafficking involving persons under 18 years of age. (Amendment printed SJ 4/21/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

**HB 1303**, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district. (Amendment printed SJ 4/14/16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

**HB 1624-FN**, relative to electioneering by public employees. (Amendment printed SJ 4/21/16)

Rep. Hoelzel moved that the House concur and spoke in favor.

Motion adopted.

**HB 645-FN**, relative to the licensure and regulation of child day care agencies. (Amendment printed SJ 1/14/16)

Reps. Andrew Christie and Tholl moved that the House concur.

Rep. Andrew Christie spoke in favor.

Motion adopted.

**HB 500**, repealing the prohibition on the use of silencing devices for taking wildlife. (Amendment printed SJ 3/17/16)

Rep. Kidder moved that the House concur and spoke in favor.

Motion adopted.

**HB 1267**, relative to the family hike safe card for fish and game search and recovery expenses. (Amendment printed SJ 4/14/16)

Rep. Kidder moved that the House concur and spoke in favor.

Motion adopted.

**HB 1268**, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. (Amendment printed SJ 4/14/16)

Rep. Kidder moved that the House concur and spoke in favor.

Motion adopted.

**HB 1138**, relative to access to investigational drugs, biological products, and devices. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

**HB 1210**, relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

**HB 1269**, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

**HB 1423-FN**, relative to rulemaking for prescribing controlled drugs. (Amendment printed SJ 4/28/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

**HB 1490**, relative to collaborative practice between pharmacists and health care practitioners and relative to certain drug take-back programs. (Amendment printed SJ 4/28/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

**HB 1681-FN**, establishing a commission on hypodermic syringes and needles. (Amendments printed SJ 5/5/16)

Reps. Kotowski and Tholl moved that the House concur.

Rep. Kotowski spoke in favor.

Motion adopted.

**HB 1204**, relative to payment of rent pending the stay of an eviction proceeding. (Amendment printed SJ 5/5/16)

Rep. Rowe moved that the House concur and spoke in favor.

Motion adopted.

**HB 1486**, relative to membership of the state house bicentennial commission. (Amendment printed SJ 5/5/16)

Rep. Hinch moved that the House concur and spoke in favor.

Motion adopted.

**HB 1147**, requiring a report on federal landholdings within the state and relative to the membership of the New Hampshire geographic information system committee. (Amendment printed SJ 5/5/16)

Rep. C. Christensen moved that the House concur and spoke in favor.

Motion adopted.

**HB 1172**, relative to corrective action implementation of audit findings concerning Cannon Mountain. (Amendment printed SJ 5/5/16)

Rep. C. Christensen moved that the House concur and spoke in favor.

Motion adopted.

**HB 1589-FN**, prohibiting the transport of aquatic plants and aquatic weeds. (Amendment printed SJ 4/28/16)

Rep. C. Christensen moved that the House concur and spoke in favor.

Motion adopted.

**HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual. (Amendment printed SJ 4/28/16)

Reps. Introne and Kurk moved that the House concur.

Rep. Introne spoke in favor.

Motion adopted.

**HB 1148**, establishing a committee to review potential statutory revisions to constrain possible stranded costs associated with pipeline capacity contracts. (Amendment printed SJ 4/28/16)

Rep. Introne moved that the House concur and spoke in favor.

Motion adopted.

**HB 1161**, relative to the traffic safety commission. (Amendment printed SJ 4/21/16)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

**HB 1198-FN-L**, relative to the valuation of poles and conduits owned by telephone utilities. (Amendment printed SJ 4/28/16)

Rep. Major moved that the House concur and spoke in favor.

Motion adopted.

**HB 114**, establishing beer specialty licenses and relative to rectifiers. (Amendment printed SJ 5/5/16)  
Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Tucker and Abel.

**HB 1227**, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes. (Amendment printed SJ 4/28/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Tucker, Biggie and Abel.

**HB 1307**, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations. (Amendment printed SJ 5/5/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, H. French and Williams.

**HB 1339**, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees. (Amendment printed SJ 4/21/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Infantine and Butler.

**HB 605-FN**, relative to mandatory minimum sentences. (Amendments printed SJ 4/28/16)

Rep. Tholl moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Tholl, DiSesa, Welch and Martin.

**HB 1547-FN**, prohibiting bestiality. (Amendment printed SJ 4/21/16)

Rep. Tholl moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Tholl, Welch, DiSesa and Cushing.

**HB 1584-FN**, relative to body-worn cameras for law enforcement officers. (Amendment printed SJ 4/28/16)

Reps. Tholl and Major moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Tholl, Cushing, Welch and DiSesa.

**HB 1377**, relative to receipt of absentee ballots. (Amendment printed SJ 4/28/16)

Rep. Hoelzel moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hoelzel, Gray, Souza and Cote.

**HB 1193**, relative to the wellness and primary prevention council and relative to certification of school nurses. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. LeBrun, B. French, Fothergill and MacKay.

**HB 1301**, relative to the issuance of youth employment certificates. (Amendment printed SJ 4/28/16)

Rep. Infantine moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hill, Flanagan, Ley and Infantine.

## NONCONCURS WITH AMENDMENTS REQUESTS COMMITTEE OF CONFERENCE

**SB 155-FN-A**, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

The President appointed Senators Reagan, Woodburn and Avard.

Reps. Hunt and Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Gidge, Hurt and Weyler.

**SB 320**, relative to non-academic surveys administered by a public school to its students.

The President appointed Senators Reagan, Avard and Watters.

Rep. Ladd moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Ladd, Balcom, Cordelli and Shaw.

**SB 203-FN**, relative to review of eligibility for workers' compensation.

The President appointed Senators Bradley, Cataldo and Soucy.

Rep. Infantine moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Simmons, Infantine, Cahill and Seaworth.

## CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**SB 536**, relative to emergency interim relief under the child protection act, removed by Rep. Brewster.

**SB 538**, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities, removed by Rep. Brewster.

**SB 305**, including fermented pear juice in the definition of cider, removed by Rep. Hunt.

**SB 403**, relative to the sale of gift certificates with expiration dates, removed by Rep. Hunt.

**SB 458-FN**, relative to reporting by political committees, removed by Rep. Hoelzel.

**SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty, removed by Rep. Proulx.

Consent Calendar adopted.

**SB 404**, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. **INEXPEDIENT TO LEGISLATE.**

Rep. Elizabeth Ferreira for Children and Family Law. This bill addresses the issue of changes made to parenting plans, particularly regarding the burden of proof for a divorced parent petitioning for the relocation of a child. The committee determined that this bill is unnecessary because the House recently passed HB 1280, which addresses modifications to parenting plans more broadly and comprehensively than this bill. Vote 12-0.

**SB 437**, establishing a commission to address child hunger in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Gray for Children and Family Law. This bill, as amended, establishes a commission to address child hunger in New Hampshire. The commission shall review the current data, identify the causes for hunger affecting New Hampshire children and recommend corrective actions for ending child hunger. The amendment adds a member of the Children and Family Law Committee to the membership of the commission and specifies that the House members shall be appointed by the Speaker of the House. Vote 11-0.

## Amendment (1676h)

Amend RSA 161:12, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Two members of the house of representatives, one of whom shall serve on the health, human services and elderly affairs committee or the children and family law committee, and one of whom shall serve on the finance committee, appointed by the speaker of the house of representatives.

**SB 539**, relative to access to records under the child protection act. **OUGHT TO PASS.**

Rep. Skip Berrien for Children and Family Law. This bill provides law enforcement access to a child's medical records held by the Division of Children, Youth and Families in the investigation of abuse, neglect and fatalities and other crimes against children. This bill includes extensive provisions to preserve confidentiality and to protect children from additional harm. Vote 13-1.

**SB 300**, revising banking, credit union, and trust laws. **OUGHT TO PASS WITH AMENDMENT.** Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill was requested by the Banking Department, primarily to insert language which was omitted by mistake when the laws were recodified last year with the adoption of SB 188. It also makes banking laws consistent with Secretary of State's laws relating to name registration, and updates a section reaffirming the rights of joint account holders. The committee amendment fixes two cross-references. Vote 20-0.

#### **Amendment (1477h)**

Amend the bill by inserting after section 11 the following and renumbering the original section 12 to read as 14:

12 State Treasurer; Investment of Funds. Amend RSA 6:8, I to read as follows:

I. All funds over which the state has exclusive control, aside from such sums of money as the treasurer may deem necessary to hold or deposit for meeting current expenses, shall be invested by the treasurer, with the approval of the governor and council, in obligations of the United States government, in obligations of any county government, municipal government, or district or division thereof within the state of New Hampshire, in obligations which are legal investments for depository banks pursuant to ~~[RSA 383-B:3-301(e)]~~ **RSA 383-B:3-303**, in participation units in the public deposit investment pool established pursuant to RSA 383:22, or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state.

13 Family Trust Company Act; Definitions. Amend RSA 383-D:2-201, (b)(12) to read as follows:

(12) "Required capital" means the amount of capital that a family trust company is required to maintain under RSA 383-D:6-602. ~~[RSA 383-C:2-202(d) shall not apply for purposes of this chapter.]~~

#### **AMENDED ANALYSIS**

This bill:

I. Requires certain background checks where ownership of a trust company changes.

II. Defines "bank."

III. Requires approval by the banking commission for certain name changes.

IV. Amends the reference which specifies the legal investments for depository banks which may be used by the state treasurer.

V. Removes an obsolete reference from the definition of "required capital" in the Family Trust Company Act.

This bill is a request of the banking department.

**SB 301**, relative to the consumption of liquor at sports complexes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill, as amended, will allow sports complexes, including college sporting complexes, to sell alcohol in designated areas. This bill was originally intended to allow alcohol sales at the UNH facility skyboxes. It was amended to allow sales in other areas of college stadiums. No sales will occur directly in the seating areas, but in well-defined and restricted areas to prevent underage drinking. The amendment also permits the Liquor Commission to issue licenses to wine manufacturers for no more than two tasting rooms. Vote 19-1.

#### **Amendment (1604h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

Amend RSA 178:22, V(u)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) The commission may issue a cocktail lounge license to the owner of a sports/entertainment complex, or any operator or designee contracting with the owner of the complex. Such license shall allow the sale or service of liquor and beverage in any clearly defined areas approved by the commission. Liquor and beverage shall be sold only at such times as a fee is charged for admission to an event at the sports/entertainment complex. Liquor and beverage shall not be sold or consumed in stadium or skybox seating at any ~~[intercollegiate or]~~ interscholastic event. The provisions of RSA 178:22, II shall not apply to this license.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Wine Manufacturer License. Amend RSA 178:8, III to read as follows:

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery for off-premises consumption any of its wines. Visitors of legal drinking age at said premises may be provided with samples of wine manufactured on the premises for tasting. Samples may be provided either free or for a fee and shall be limited to one 2-ounce sample per label per person. *The commission may issue additional licenses to a wine manufacturer to operate no more than 2 additional tasting rooms for both samples and retail sales of its own wine separate and apart from its manufacturing facility, subject to payment of an annual fee of \$420 for each location.* Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a wine festival licensed under RSA 178:31, and may sell such products at retail in the original container.

### AMENDED ANALYSIS

This bill permits liquor and beverage sales and consumption in stadium or skybox seating at intercollegiate events at licensed sports/entertainment complexes. This bill also authorizes the wine manufacturer to conduct sampling and retail sales at locations other than its manufacturing facility.

**SB 306**, enabling the sampling of beer or wine at farmers' markets. **OUGHT TO PASS.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill will help grow our local wine and small beer industries by allowing local manufacturers to provide samples, either at a cost or free, at local farmers markets. A tasting area would be defined for each sampler. The committee believes this bill will help these industries increase their sales and grow their brands. Vote 20-0.

**SB 308**, relative to the definition of small loans and relative to certain fees on small loans. **OUGHT TO PASS.**

Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill seeks to clarify in statute the definition of small loans. Ambiguity in the current law may be holding companies back from offering loan products, so this bill is important for improving the small loan market for consumers in New Hampshire. The bill also establishes a cap on application and/or participation fees at \$100, when they were formerly unlimited. Vote 20-0.

**SB 401-FN**, relative to insurance coverage for prescription eye drops. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill provides for insurance coverage for one early refill of prescription eye drops when such a prescription is a covered benefit under a person's health insurance plan. The committee recognizes that this is a new mandate and that over-utilization of any prescription medication increases the cost of health insurance premiums. However, this bill includes key criteria that must be met in order for an early refill of prescription eye drops to be covered by insurance. Importantly, these criteria include timeframes for dispensing early refills. The committee expects that the criteria will help address the concerns about over-utilization and over-prescribing while also addressing the unique circumstances that may cause a person to run out of prescription eye drops early. Vote 19-0.

**SB 405**, making changes to the limited liability companies statutes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill provides important updates and improvements to New Hampshire's Limited Liability Company (LLC) Act that are designed to support and help small businesses in our state. These changes reflect best practices from around the country and real life experiences that have occurred since this legislature undertook and passed a comprehensive update of our LLC statutes four years ago. Many of the proposed

changes in the bill are of a technical nature and are intended to clarify language from the 2012 updates. This bill was reviewed by the Secretary of State who expressed no concerns with the proposed changes. As with our original updating of the LLC Act all of the provisions in this bill are merely “default” provisions that may be overridden by LLC members in their own operating agreements. While technical in nature, the bill is designed, as is the act itself, to be user-friendly and to maintain a high degree of contractual freedom to all LLCs in New Hampshire. The amendment, that was unanimously supported by the Commerce Committee, adds two sections that were inadvertently left out of the original version of the bill passed by the Senate. There are no revenue implications associated with the bill and it has no fiscal impact to the state. Vote 20-0.

#### **Amendment (1839h)**

Amend the bill by inserting after section 9 the following and renumbering the original section 10 to read as 12:

10 Document Filing; Signature. Amend RSA 304-C:28, V(c) to read as follows:

(c) If the limited liability company is in the hands of a receiver, executor, or other court appointed fiduciary, trustee, or other fiduciary, by that fiduciary; *or*

*(d) Unless the operating agreement provides otherwise, by any authorized person, including an attorney-in-fact. An authorization, including a power of attorney, need not be in writing, need not be sworn to, verified, or acknowledged, and need not be filed in the office of the secretary of state, but if in writing, must be retained by the limited liability company or authorized person.*

11 New Subdivision; Domestications. Amend RSA 304-C by inserting after section 204 the following new subdivision:

#### **Domestications**

304-C:205 Domestication.

I. A foreign limited liability company may become a domestic limited liability company only if the domestication is permitted by the organic law of the foreign limited liability company. The laws of New Hampshire shall govern the effect of domesticating in New Hampshire pursuant to RSA 304-C:205 through RSA 304-C:210.

II. A domestic limited liability company may become a foreign limited liability company if the domestication is permitted by the laws of the foreign jurisdiction. Regardless of whether the laws of the foreign jurisdiction require the adoption of a plan of domestication, the domestication shall be approved by the adoption by the domestic limited liability company of a plan of domestication in the manner provided in this subdivision. The laws of the foreign jurisdiction shall govern the effect of domesticating in that jurisdiction.

III. The plan of domestication adopted by a domestic limited liability company shall include:

- (a) A statement of the jurisdiction in which the limited liability company is to be domesticated;
- (b) The terms and conditions of the domestication;

(c) The manner and basis of reclassifying the membership rights of the limited liability company following its domestication into membership rights or other securities, obligations, rights to acquire membership rights or other securities, cash, other property, or any combination of the foregoing; and

(d) Any desired amendments to the certificate of formation or equivalent foreign statutory document (for purposes of this subdivision, the “certificate of formation”) of the limited liability company following its domestication. The plan of domestication may include any other provision relating to the domestication that may be desired.

IV. The plan of domestication may include a provision that the plan may be amended prior to filing the document required by the laws of this state or the other jurisdiction to consummate the domestication, except that subsequent to approval of the plan by the members, the plan may not be amended to change:

(a) The amount or kind of membership rights or other securities, obligations, rights to acquire membership rights or other securities, cash, or other property to be received by the members under the plan;

(b) The certificate of formation or operating agreement, as they will be in effect immediately following the domestication, except for changes permitted by RSA 304-C:35, II or by comparable provisions of the laws of the other jurisdiction; or

(c) Any of the other terms or conditions of the plan if the change would adversely affect any of the membership rights in any material respect.

V. Terms of a plan of domestication may be made dependent upon facts objectively ascertainable outside the plan in accordance with the principles set forth in RSA 293-A:1.20(j).

VI. If any debt security, note, or similar evidence of indebtedness for money borrowed, whether secured or unsecured, or a contract of any kind, issued, incurred, or signed by a domestic limited liability company contains a provision applying to a merger of the limited liability company and the document does not refer to a domestication of the limited liability company, then the provision shall be deemed to apply to a domestication of the limited liability company until such time as the provision is amended subsequent to that date.

VII. An operating agreement of a domestic limited liability company may provide that decisions by the members relating to the limited liability company's domestications are reserved to specified members or managers.

#### 304-C:206 Action on a Plan of Domestication.

I. In the case of a domestication of a domestic limited liability company in a foreign jurisdiction:

(a) If the approval of the members is to be given at a meeting, the limited liability company must notify each member, whether or not entitled to vote, of the meeting of members at which the plan of domestication is to be submitted for approval. The notice must state that the purpose, or one of the purposes, of the meeting is to consider the plan and must contain or be accompanied by a copy or summary of the plan. The notice shall include or be accompanied by a copy of the limited liability company's certificate of formation and operating agreement as they will be in effect immediately after the domestication.

(b) Unless the operating agreement of the limited liability company requires a greater vote or a greater number of votes to be present, approval of the plan of domestication requires the approval of each voting group entitled to vote separately on the plan by a majority of all the votes entitled to be cast on the plan by that voting group.

(c) Separate voting by voting groups is required by each class or series of membership rights that:

(1) Are to be reclassified under the plan of domestication into other securities, obligations, rights to acquire membership rights or other securities, cash, other property, or any combination of the foregoing;

(2) Would be entitled to vote as a separate group on a provision of the plan that, if contained in a proposed amendment to the certificate of formation or operating agreement, would require action by separate voting groups; or

(3) Is entitled under the certificate of formation or operating agreement to vote as a voting group to approve an amendment of the certificate of formation or operating agreement.

II. If any provision of the certificate of formation or operating agreement adopted or entered into applies to a merger of the limited liability company and that document does not refer to a domestication of the limited liability company, the provision shall be deemed to apply to a domestication of the limited liability company until such time as the provision is amended subsequent to that date.

#### 304-C:207 Articles of Domestication.

I. After the domestication of a foreign limited liability company has been authorized as required by the laws of the foreign jurisdiction, articles of domestication shall be signed by any member or other duly authorized representative of the limited liability company. The articles shall set forth:

(a) The name of the limited liability company immediately before the filing of the articles of domestication and, if that name is unavailable for use in this state or if the limited liability company desires to change its name in connection with the domestication, a name that satisfies the requirements of RSA 304-C:32;

(b) The jurisdiction of formation of the limited liability company immediately before the filing of the articles of domestication and the date the limited liability company was formed in that jurisdiction; and

(c) A statement that the domestication of the limited liability company in this state was duly authorized as required by the laws of the jurisdiction in which the limited liability company was formed immediately before its domestication in this state.

II. The articles of domestication shall have an attached certificate of formation.



III. The articles of domestication with the certificate of formation shall be delivered to the secretary of state for filing, and shall take effect at the effective time provided in RSA 304-C:29.

IV. If the foreign limited liability company was authorized to transact business in this state under RSA 304-C:174 and RSA 304-C:175, then its certificate of authority shall be canceled automatically on the effective date of its domestication in the foreign state.

304-C:208 Surrender of Charter Upon Domestication.

I. Whenever a domestic limited liability company has adopted and approved, in the manner required by this subdivision, a plan of domestication providing for the limited liability company to be domesticated in a foreign jurisdiction, articles of charter surrender shall be signed on behalf of the limited liability company by any member or other duly authorized representative. The articles of charter surrender shall set forth:

(a) The name of the limited liability company;

(b) A statement that the articles of charter surrender are being filed in connection with the domestication of the limited liability company in a foreign jurisdiction;

(c) A statement that the domestication was duly approved by the members and, if voting by any separate voting group was required, by each such separate voting group, in the manner required by this chapter and by the certificate of formation and operating agreement; and

(d) The limited liability company's new jurisdiction of formation.

II. The articles of charter surrender shall be delivered by the limited liability company to the secretary of state for filing. The articles of charter surrender shall take effect on the effective time provided in RSA 304-C:29.

304-C:209 Effect of Domestication.

I. When a domestication of a foreign limited liability company in New Hampshire becomes effective:

(a) The title to all real and personal property, both tangible and intangible, of the limited liability company remains in the limited liability company without reversion or impairment and the domestication shall not be deemed to give rise to any transfer of real or personal property;

(b) The liabilities of the limited liability company remain the liabilities of the limited liability company;

(c) An action or proceeding pending against the limited liability company continues against the limited liability company as if the domestication had not occurred;

(d) The articles of domestication, or the certificate of formation and operating agreement attached to the articles of domestication, constitute the certificate of formation and operating agreement of a foreign limited liability company domesticating in this state;

(e) The membership rights of the limited liability company are reclassified into other membership rights, other securities, obligations, rights to acquire membership rights, or other securities of the limited liability company, or into cash or other property in accordance with the terms of the domestication as approved under the laws of the foreign jurisdiction, and the members are entitled only to the rights provided by those terms and under those laws; and

(f) The limited liability company is deemed to:

(1) Be formed under and subject to the organic law of this state for all purposes;

(2) Be the same limited liability company without interruption as the limited liability company that existed under the laws of the foreign jurisdiction; and

(3) Have been formed on the date it was originally formed in the foreign jurisdiction.

II. When a domestication of a domestic limited liability company in a foreign jurisdiction becomes effective, the foreign limited liability company is deemed to:

(a) Appoint the secretary of state as its agent for service of process in a proceeding to enforce the rights of members who exercise appraisal rights in connection with the domestication; and

(b) Agree that it will promptly pay the amount, if any, to which such members are entitled under RSA 304-C:160 through RSA 304-C:172.

III. The domestication of a domestic limited liability company as a foreign limited liability company shall not be deemed to give rise to any transfer of real or personal property.

IV. The owner liability of a member in a foreign limited liability company that is domesticated in this state shall be as follows:

(a) The domestication does not discharge any owner liability under the laws of the foreign jurisdiction to the extent any such owner liability arose before the effective time of the articles of domestication.

(b) The member shall not have owner liability under the laws of the foreign jurisdiction for any debt, obligation, or liability of the limited liability company that arises after the effective time of the articles of domestication.

(c) The provisions of the laws of the foreign jurisdiction shall continue to apply to the collection or discharge of any owner liability preserved by subparagraph (a), as if the domestication had not occurred.

(d) The member shall have whatever rights of contribution from other members as are provided by the laws of the foreign jurisdiction with respect to any owner liability preserved by subparagraph (a), as if the domestication had not occurred.

#### 304-C:210 Abandonment of a Domestication.

I. Unless otherwise provided in a plan of domestication of a domestic limited liability company, after the plan has been adopted and approved as required by this subdivision, and at any time before the domestication has become effective, it may be abandoned by the members.

II. If a domestication is abandoned under paragraph I after articles of charter surrender have been filed with the secretary of state but before the domestication has become effective, a statement that the domestication has been abandoned in accordance with this section, signed by a member or other duly authorized representative, shall be delivered to the secretary of state for filing prior to the effective date of the domestication with the fee, if any, required under RSA 304-C:191. The statement shall take effect upon filing and the domestication shall be deemed abandoned and shall not become effective.

III. If the domestication of a foreign limited liability company in this state is abandoned in accordance with the laws of the foreign jurisdiction after articles of domestication have been filed with the secretary of state, a statement that the domestication has been abandoned, signed by a member or other duly authorized representative, shall be delivered to the secretary of state for filing. The statement shall take effect upon filing and the domestication shall be deemed abandoned and shall not become effective.

#### **SB 417**, relative to employment contract restrictions upon physicians. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill was referred for a second hearing to the House Commerce and Consumer Affairs Committee after receiving unanimous support from the Health, Human Services and Elderly Affairs Committee and passage on the Consent Calendar on April 20, 2016. This bill would prohibit the inclusion in an employment contract of any contract term restricting the right of a physician from practicing medicine "in any geographic area for any period of time" after termination of employment or termination of a professional relationship. Geographic restrictions in physician employment contracts significantly diminish the integrity of the patient-provider relationship and undermine physician autonomy. While not all hospital systems utilize these restrictions when contracting with physicians, the committee strongly supports the elimination of these restrictions as such elimination is squarely in the public interest. Vote 19-1.

#### **SB 431**, relative to data submission by insurers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald Flanders for Commerce and Consumer Affairs. The purpose of this bill as amended is to clarify health claims data reporting requirements following the US Supreme Court's decision in *Gobeille v. Liberty Mutual*. Since 2003 NH Law has required the reporting of claims data by health insurers and third-party administrators for NH residents, including for self-funded employer plans. NH law has always required that the data be encrypted before reporting, so no personally identifiable information is included. The database has been used for many beneficial purposes including health cost transparency and the nationally-acclaimed HealthCost website operated by the NH Insurance Department, where consumers and employers can compare the cost of having a medical procedure performed at different service locations, depending on their insurance carrier. The US Supreme Court ruled on March 1, 2016, that states are preempted from requiring reporting of data for self-funded private employer plans. The bill as amended clarified that the reporting requirement remains in place for plans not affected by the decision, and it also creates an opt-in process for self-funded employers to choose to have their data included. This will enable the state to continue its health cost transparency initiative. Vote 18-1.

#### **Amendment (1583h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. The purpose of this act is to clarify the applicability of existing New Hampshire statutory requirements in light of the United States Supreme Court decision in *Gobeille v. Liberty Mutual*, and to create a mechanism whereby self-funded employers affected by that decision may choose to have their claims data included in their claims administrator's submission to the New Hampshire comprehensive

health information system. The data submission requirements of RSA 420-G:11, IV and V as inserted by section 2 of this act are intended to facilitate the proper functioning of insurance markets and to benefit insured consumers and employers through price transparency that will increase competition and enable all consumers and employers to make informed and cost-effective health care choices. Such market transparency, as a form of insurance regulation, is intended to enhance and optimize market conditions affecting the risk pooling arrangements between insurers and insureds.

2 New Paragraphs; Disclosures by Health Carriers, Third Party Administrators, and Other Insurance Entities. Amend RSA 420-G:11 by inserting after paragraph III the following new paragraphs:

IV. The data submission requirements of paragraphs II and II-a shall apply with respect to claims data for all lives covered by a fully-insured health plan in any market in the state, by any self-funded plan for state or municipal employees, including any plan maintained under RSA 5-B, to any self-funded plan maintained by the university system of the state with respect to its employees or its students, and to any self-funded student health benefit plan maintained by an institution of higher education which provides 4-year bachelor's degree programs and graduate or professional degree programs.

V. In addition to those lives listed in paragraph IV, the data submission requirements of paragraphs II and II-a shall also apply to all health carriers, licensed third party administrators, and any entity required to be registered with the commissioner pursuant to RSA 402-H with respect to claims data for all lives covered by any other self-funded employer-sponsored plan, when the employer has opted in writing to the submission of the data. The carrier or administrator shall notify the employer of the employer's option to authorize submission of the data. The commissioner shall adopt rules under RSA 541-A specifying the form of such opt in, which shall include, but not be limited to, notice to the employer regarding why it is receiving the notification form, the privacy protections for the data submitted should the employer choose to opt in, and the transparency benefits, including benefits to employers, of broad inclusion of as many lives as possible in the database created under RSA 420-G:11-a. Nothing in this paragraph shall be construed to impose any reporting obligation on any self-funded employer or plan sponsor, or to impose any requirement with respect to the manner in which any such self-funded plan is administered. Nothing in this paragraph shall prevent a health carrier or third party administrator from communicating its views to an employer about the employer's decision whether to opt in to the submission of claims data.

3 Effective Date. This act shall take effect upon its passage.

**SB 432**, relative to itemized bills for medical services. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. The issue of how to bill for health care services so that consumers can understand the bill and the health care service provider – hospital, clinic, practitioner, private practice – can receive the necessary reimbursement for services rendered continues to be of concern. Hospital bills, especially, are complicated and may use Current Procedural Terminology (CPT) codes. Bills can sometimes reflect what seem to be an outlandish cost for simple procedures or components of care. The committee recommends that this bill be referred for Interim Study because the Hospital Association and the Medical Society will be conducting pilot programs to look at different models of billing, for transparency and clarity. The committee does not believe that this bill as currently constructed achieves those goals. We will follow the work of these pilot programs and determine whether further legislation can be recommended that will provide the clarity needed by consumers in billing statements. Vote 17-2.

**SB 501-FN**, prohibiting the possession of powdered or crystalline alcohol. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. The majority of the committee felt this bill, while well intentioned, was too broadbased in banning possession of powdered or crystalline alcohol. The Liquor Commission already has the authority to not allow the sales of these products in the state. A new ban on the possession of powdered alcohol would be difficult to enforce. Vote 19-1.

**SB 379**, relative to additional tests to determine alcohol concentration. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Tholl for Criminal Justice and Public Safety. The Intoxilizer 5000 machines that are in current use are obsolete. They are no longer manufactured nor are there any spare parts available. The company that is the sole manufacturer of the second sample tubes has ceased manufacturing the tubes and there are no machines produced that allow for the preservation of a second sample of breath. The newer-technology machines are several generations improved from the machines in current use and provide a better means of determining the alcohol content of a person's blood. This

bill as amended allows for the replacement of the current antiquated machines while still preserving the ability of the person arrested to obtain a timely (within 2 hours) sample of their blood for testing at their own expense. The committee feels very strongly that this is an important step forward as evidenced by its bipartisan, unanimous vote. Vote 17-0.

### Amendment (1774h)

Amend the bill by inserting after the enacting clause the following and renumbering the original section 1-4 to read as 2-5, respectively:

I. Statement of Findings. The general court finds that:

I. The state of New Hampshire currently uses Intoxilyzer 5000 EN instruments for the purpose of testing the breath alcohol content of individuals who are suspected of driving while impaired.

II. The Intoxilyzer 5000 EN allows the test administrator to obtain 2 breath samples, which are analyzed by the instrument. After each sample is analyzed, it is then captured (preserved an additional sample). This additional sample is then provided to the person being tested, for independent analysis if the person so chooses.

III. The New Hampshire supreme court held, in *State v. Cornelius*, 122 N.H. 925 (1982), that due process required the state to take and preserve an additional breath sample for independent testing.

IV. In 2010, the legislature sought an opinion from the New Hampshire supreme court as to whether then-pending legislation to eliminate the requirement that an additional breath sample be preserved for independent testing tests would violate due process. In a divided opinion, the majority of the court, in *Opinion on the Justices (Eliminating Requirement for Additional Breath Test Samples)*, 160 N.H. 180 (2010) held that it would. The court noted that while it “recognize[d] that technological advances may well obviate the need to capture and preserve a second breath sample,... no legislative findings have been rendered in that regard.” It also observed that “in light of the apparent absence of realistic access to additional testing, we are reluctant to conclude that the proposed breath testing is substantially without risk of error.”

V. The Intoxilyzer 5000 EN has not been manufactured since 2013. Replacement parts are no longer available, including RAM time keeper chips, photo interrupters, IR filters from the same manufacturer, vacuum fluorescent displays, and EPROMs, all of which are critical to the accurate functioning of the testing instrument.

VI. New Hampshire is the only state in the nation (and only place in the world) that continues to use the Intoxilyzer 5000 EN for preserving an additional sample.

VII. The models of breath testing instruments currently being manufactured employ a far more technologically sophisticated analytical process. While a properly functioning, calibrated Intoxilyzer 5000 EN produces accurate results, the degree of confidence one can have in the accuracy of the results from one of the newer instruments is substantially enhanced by the more sophisticated analytical process.

VIII. There are no longer any modern models of breath alcohol instruments that are designed to capture additional breath samples.

IX. The legislature finds that technological advances and the changes in testing protocols since the *Cornelius* decision have now obviated the need to capture and preserve a second breath sample, and that the accuracy of the currently available technology substantially eliminates any risk of error. Amend RSA 265-A:7, III as inserted by section 2 of the bill by replacing it with the following:

~~[H:] III. [The] A sample [or samples] of breath taken pursuant to [RSA 265-A:4] paragraph I shall be [captured in an appropriate medium approved] analyzed in accordance with rules adopted by the commissioner of the department of safety pursuant to RSA 265-A:5, VI, and shall be sufficient to allow an equivalent additional test for each breath sample taken pursuant to 265-A:4. The captured sample or samples shall be given to the respondent in a manner determined by the commissioner of the department of safety]. A subject who submits to an infrared molecular absorption test at the request of a law enforcement officer shall have the right at his or her own expense to have a blood sample drawn and a blood test made by a person of his or her own choosing who is competent to conduct the tests, as determined by the commissioner of the department of safety under RSA 265-A:5. The person shall be so informed by the law enforcement officer at the same time as the person is requested to permit a test under the provisions of RSA 265-A:4. At that same time the person shall also be provided contact information for individuals and the nearest facilities that make themselves available to draw and test blood. The individuals listed, by virtue of their residence or work location, should have a reasonable probability of performing the blood draw within 2 hours of the initial breath sample having been taken by the police. The failure or~~

*inability of an arrested person to obtain an additional test shall not preclude the admission of any test taken at the direction of a law enforcement officer, authorized agent, or peace officer. Nothing in this paragraph shall require the release from custody of the arrested person for the purpose of having such additional test taken, however, an arrested person who remains in custody shall be permitted to have his or her blood drawn by a person who has been determined to be competent by the commissioner of the department of safety under RSA 265-A:5.*

**SB 391**, relative to annulment of certain misdemeanor offenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. During the 2015 session the legislature passed HB 305 which allowed a certain class of persons convicted of a crime which occurred between May 14, 2014 and July 1, 2015 while the person was 17 years of age to petition the court for an annulment. The law so-created ended up in session law where it is difficult to find. This bill as amended moves that law into RSA 651 where it will be easy to find. Vote 18-0.

**Amendment (1300h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 New Section; Annulment of Criminal Records; Offenses Occurring Between May 14, 2014 and July 1, 2015. Amend RSA 651 by inserting after section 5 the following new section:

651:5-a Annulment of Criminal Record Based on Conduct Occurring Between May 14, 2014 and July 1, 2015. Notwithstanding RSA 651:5, any person convicted of a criminal offense which occurred between May 14, 2014 and July 1, 2015, and while the person was 17 years of age, shall be entitled to an annulment of such conviction upon petition to the court. An annulment petition brought under this section shall not be subject to any filing fee, and shall only be brought following the expiration of any sentence imposed by the court. An annulment petition brought under this section may be denied only upon a written finding by the court, based on clear and convincing evidence, that the subject offense would have qualified for transfer to the superior court pursuant to RSA 169-B:24 and that the prosecution would have pursued such a transfer. This section shall not apply to any offense which may be prosecuted as an adult criminal offense after July 1, 2015 against persons who have not yet reached 18 years of age.

3 Repeal. 2015; 260:3, relative to annulment of a criminal conviction based on an offense that occurred between May 14, 2014 and July 1, 2015 while the person was 17 years of age, is repealed.

**AMENDED ANALYSIS**

This bill amends the waiting period for petitioning for the annulment of a misdemeanor marijuana or hashish offense. The bill also permits the annulment of a conviction based on conduct that occurred between May 14, 2014 and July 1, 2015, and while the person was 17 years of age, and repeals a session law on the same subject contained in HB 305 of the 2015 legislative session.

**SB 394**, relative to criminal history record checks of nursing home administrators. **OUGHT TO PASS.** Rep. John Martin for Criminal Justice and Public Safety. This bill requires every applicant for an initial or reciprocity license or reinstatement to authorize and submit to a criminal history background check. This is a necessary step to protect the most vulnerable of our citizens, nursing home residents who may be totally dependent on the facility for their medical, emotional and financial care, and, in many cases, rely on the facility, in the absence of family, to see to their needs. The nursing home administrator is in a unique position of trust when it comes to seeing to the needs and protecting the interests of those committed to his or her charge. A background check only serves as a tool to help protect those residents. Vote 17-0.

**SB 544**, establishing a committee to study funding options for the Internet crimes against children task force. **OUGHT TO PASS.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. The Internet Crimes Against Children Task Force is currently administrated by the Portsmouth Police Department. It is federally funded and used by 90 law enforcement agencies throughout NH to forensically recover evidence from

electronic devices to assist prosecutions of internet crimes against children. There is a concern that the federal funds may dry up and this committee will conduct a study and make recommendations for legislation in the next session should that happen. Vote 18-0.

**SB 310**, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is the work product of a study commission convened to address a deleterious loophole in RSA 99-D. Certain state employees who are professional license holders were being subjected to largely nuisance lawsuits of a retaliatory nature arising out of, and in conjunction with, the performance of their duties as state employees. Although defended and indemnified in that capacity by the State of New Hampshire, they were not protected from the aforesaid harassment lawsuits in their status as professional license holders; and they were regularly required to engage outside counsel, with the concomitant costs thereof, to defend themselves before their licensing boards, and the like. This bill corrects that inequity by expanding the defense and indemnification provisions of RSA 99-D. The committee amendment merely repeals the now superfluous commission to study this issue. Vote 14-1.

#### **Amendment (1236h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Repeal. RSA 99-D:10, relative to the commission to study expansion of defense and indemnification rights to certain state employees, is repealed.

#### **AMENDED ANALYSIS**

This bill expands the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies.

This bill also repeals the commission to study the expansion of defense and indemnification rights to certain state employees.

**SB 329**, revising the nurse licensure compact. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. The Nurse Licensure Compact Law was adopted in New Hampshire in 2004. The compact makes it easier for nurses to practice across state lines by eliminating the need for duplicate licenses in states that have agreed to uniform standards for licensure. Currently, 39 states have joined the compact and others are considering joining. This bill adopts the revised model act for the Nurse Licensure Compact. The amendment clarifies that nurses who are licensed in another state and working in NH under the compact are not included in the definition of 'medical technician.' Vote 15-0.

#### **Amendment (1242h)**

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Registration of Medical Technicians; Definition. Amend RSA 328-I:1, VI to read as follows:

VI. "Medical technician" means a health care worker who is not licensed or registered by a New Hampshire regulatory board and who assists licensed health care professionals in the diagnosis, treatment, and prevention of disease. ***"Medical technician" shall not include a nurse licensed in another state who is working in New Hampshire under the nurse licensure compact established in RSA 326-B:46.*** For the purposes of this chapter, medical technicians shall be limited to health care workers with access to controlled substances and with access to or contact with patients in a health care facility or in a medical establishment.

#### **AMENDED ANALYSIS**

This bill adopts the revised model act for the nurse licensure compact under RSA 326-B:46. The bill also inserts a clarification in the definition of a medical technician under RSA 328-I for nurses working in New Hampshire under the nurse licensure compact.

**SB 424-FN**, relative to transition provisions for licensure of master licensed alcohol and drug counselors, and establishing a committee to study licensure of alcohol and drug counselors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill, with the amendment, is the work product of a subcommittee process involving knowledgeable stakeholders and agency personnel, public and private. It addresses a particular aspect of the present opioid crisis in NH, namely the shortage of trained counselors to support and help treat individuals dealing with substance abuse, especially those suffering from co-occurring disorders. It facilitates attracting trained counselors from outside NH, enabling them to rapidly engage with our citizens, while advancing their professional credentials. Further, it reduces the current license fee from \$300 to \$240, as this was determined to both be a barrier to attracting outside candidates, and in excess of board funding requirements. Vote 15-0.

#### **Amendment (1556h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor.

Amend the bill by replacing all after the enacting clause with the following:

1 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-C:21 to read as follows:

330-C:21 Applicants From Other States.

*I. The board may license or issue a certification to any applicant who is licensed or certified in any other state, provided the other state's requirements are substantially equivalent to or more stringent than those of this state.*

*II. The board may license or issue a certification to any applicant who is licensed or certified in any other state if the other state's requirements are not substantially equivalent to those of this state solely because the applicant has obtained a master's degree in a discipline described in RSA 330-C:16, I(a) which is less than a 60-hour degree. An individual licensed under this paragraph shall:*

*(a) Complete the necessary additional hours of course work in co-occurring disorders pursuant to standards established by the board within 5 years from the effective date of licensure or certification;*

*(b) Have completed 3,000 hours of clinically supervised work experience in the treatment of substance use and co-occurring disorders. These hours may be completed after the applicant has been issued the master's degree. Up to 1,500 hours of clinically supervised work experience accumulated by the applicant during his or her practice as a LADC may be counted toward the required 3,000 hours. In addition, a current license issued by the board of mental health practice may be substituted for 1,500 hours of the required 3,000 hours of clinically supervised work experience;*

*(c) Conduct his or her practice as an MLADC in full compliance with RSA 330-C:10; and*

*(d) Notify the board in writing that he or she has completed the requirements in subparagraph (a).*

*III. If an individual licensed under paragraph II does not satisfy the requirements of subparagraph II(a) within 5 years of initial licensure or certification, the board shall not renew the individual's MLADC license but shall, if the individual meets all the requirements for licensure as a LADC, issue a LADC license to the individual.*

*IV. The board may waive provisions of this chapter requiring supervised work experience and practical training and grant a license as a licensed alcohol and drug counselor or master licensed alcohol and drug counselor to any applicant who presents proof of active licensed practice in another jurisdiction of the United States for a period of 10 years or more.*

2 Alcohol and Other Drug Use Professionals; Fees. Amend RSA 330-C:8, I as follows:

I. The board shall charge licensed alcohol and drug counselors, licensed clinical supervisors, and certified recovery support workers a \$110 fee for the issuance of an initial license or certificate, and \$110 for the renewal of a license or certificate under this chapter. The fee for a master licensed alcohol and drug counselor shall be [~~\$300~~] **\$240** and the renewal fee shall be [~~\$300~~] **\$240**. All licenses shall be renewed biennially on or before June 30 upon payment of the license renewal fee. In addition the board shall establish by rule fees for license and certificate applications, late renewal, and reinstatement of all licenses and certifications authorized by this chapter.

3 Effective Date. This act shall take effect upon its passage.

## AMENDED ANALYSIS

This bill allows alcohol and drug use professionals from other states to be licensed by the board of mental health practice in New Hampshire if they complete certain course work and clinical work within 5 years of licensure or have 10 or more years of experience. The bill also reduces the fee for licensure as a master licensed alcohol and drug counselor.

**SB 489**, authorizing a demonstration project using a Stirling engine system. **OUGHT TO PASS.** Rep. J.R. Hoell for Executive Departments and Administration. This bill, as amended by the House after the review of the first committee, would allow the Department of Administrative Services (DAS) to work with an outside company to install and test a prototype electrical generator powered by a Stirling engine. The committee heard about a building in Manchester where this is already taking place and felt that by allowing one of the state's buildings to be hooked up to one of these NH-designed and developed generators, we would go a long way towards showing that NH is a business friendly place. Everyone who testified was in favor of the bill. The costs for the installation, demonstration and removal will be completely borne by the outside firm. The electrical power and heat generated by this prototype will be provided to the state at less than or equal to the current market cost for those items. The committee did hear from DAS and they did not have any logistical issues with the proposal. The committee felt that this was a very positive way to showcase the research and development that is going on in NH. The only potential cost will relate to staff time required to issue the RFP and reviewing responses. The committee clearly thought that this was a way to leverage for a very small labor investment the chance for long-term business tax revenue from helping grow another company in NH. Vote 15-0.

**SB 302-FN-A**, making an appropriation to the department of safety for disaster and emergency response preparedness. **INEXPEDIENT TO LEGISLATE.**

Rep. David Danielson for Finance. This bill would have reopened the budget. Had the bill passed it would have resulted in the lay-off of one position because this bill sought to eliminate the approved transfer of renewable fund energy revenue to the Department of Safety's Division of Homeland Security. It would replace the revenue transfer with a general fund appropriation in FY 2016 (\$745,119) and FY 2017 (\$1,553, 015). The expenditures of the Public Utilities Commission would expect an increase of \$720,000 in FY 2016 and \$1,500,000 in FY 2017 and each succeeding year thereafter. The committee felt that it would be unwise to reopen the budget for such transfers. Vote 26-0.

**SB 409-FN**, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation. **OUGHT TO PASS.**

Rep. Kenneth Weyler for Finance. In 2012 a police officer was shot multiple times and survived. Because all his wounds were soft tissue injury, workers' compensation insurance did not cover the medical care. A commission was formed to work on this problem. The commission recommended up to \$500,000 with a cap of \$125,000 per person. The funding expires in June 2016. This bill extends the funding for one year and appoints a committee to study this issue for further action. The officer, for whom the bill was originated, is still undergoing treatment. The Finance Committee agreed with the policy, and saw no reason to change the bill. Vote 26-0.

**SB 420-FN**, relative to aid to the permanently and totally disabled. **OUGHT TO PASS.**

Rep. Cindy Rosenwald for Finance. This bill is a request of the Department of Health and Human Services. It is needed to clarify eligibility for cash assistance under the state's Aid to the Permanently and Totally Disabled cash assistance program relative to federal cash assistance. It enables the department to adopt rules necessary to bring the state into compliance with a Supreme Court decision. It is expected to save the state a small amount of money as the department's eligibility determinations will be upheld more frequently. Vote 26-0.

**SB 444-FN**, relative to lottery retailer incentive awards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Karen Umberger for Finance. Lottery sales are a competitive market, not only locally, but state-to-state. When a retailer sells a winning ticket for PowerBall, Megabucks, or Lucky-for-Life, the retailer receives \$30,000. Other states pay much more. To be more competitive, this bill would make the amount for selling the winning ticket increase to \$75,000. Although this is a large increase, it is very unlikely to be paid more often than every 10 years or more. Vote 22-4.



**Amendment (1814h)**

Amend RSA 284:21-s as inserted by section 1 of the bill by replacing it with the following:

284:21-s Incentive Awards for Ticket Sellers. The lottery commission is authorized to pay cash incentives, at a rate established by the commission but not to exceed [~~\$30,000~~] **\$75,000** for a [jackpot] winning ticket, [~~or not to exceed \$500 for each incidence of meeting or exceeding lottery commission established sales goals,~~] as an inducement to [~~servants~~] **employees** and agents authorized to sell tickets pursuant to RSA 284:21-h, II(d).

**SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Jane Wallner for Finance. The bill requires Medicaid coverage of medically-necessary home health care services to be provided to older adults and persons with disability at their residence and adds in any non-institutional setting in which normal life activities take place. The committee amendment removed an unnecessary requirement for approval by the Federal Centers for Medicare and Medicaid services. Vote 26-0.

**Amendment (1593h)**

Amend RSA 161-N:3 as inserted by section 1 of the bill by replacing it with the following:

161-N:3 Home Health Care Services Location. Medicaid coverage of medically-necessary home health care services shall be available to Medicaid recipients at their residences and in any non-institutional setting in which normal life activities take place.

Amend RSA 161-N:4, I as inserted by section 1 of the bill by replacing it with the following:

I. Further definition of home health care services under RSA 161-N:3.

**SB 496-FN**, relative to personal care attendant services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betsy McKinney for Finance. This bill, as previously passed by the House, expanded personal care services for severely physically disabled persons to any location in which normal life activities occur. The committee amended the bill to ensure that the number of hours for which these services are provided remains unchanged from current levels. Vote 26-0.

**Amendment (1679h)**

Amend the bill by replacing section 1 and 2 with the following:

1 Personal Care for the Severely Physically Disabled; Definitions. Amend RSA 161-E:1, III to read as follows:

III. "Severely physically disabled person" shall mean an *adult individual over the age of 18* who has been approved to participate in an independent living program and who requires a minimum of 2 hours of medically [~~oriented~~] **necessary** personal care per day in order to maintain himself or herself in a noninstitutional setting. Such care may include [~~hands-on~~] assistance in the following areas: basic personal care and grooming, assistance with bladder and bowel care, assistance with medications, assistance with nutrition including meal preparation and essential household services.

2 Personal Care for the Severely Physically Disabled; Personal Care Attendant Services Program. Amend RSA 161-E:2 to read as follows:

161-E:2 Services Provided. The commissioner of the department of health and human services shall develop a program under which severely physically disabled persons eligible for coverage under medical assistance programs are provided with personal care attendants to provide [~~on a periodic basis~~] medically [~~oriented~~] **necessary** long-term maintenance and supportive care to assist them, as is required in each individual case, to maintain themselves in their homes and gain greater control over their own lives. *Personal care services under this chapter may be delivered in noninstitutional locations in which normal life activities occur. Personal care services shall be those numbers of hours of service which a severely physically disabled person would be approved to receive if the services were provided exclusively at home, school, or work.*

**AMENDED ANALYSIS**

This bill clarifies the definition of a severely physically disabled person and allows access to the community for such persons under the law governing personal care for the severely physically disabled.

**SB 500-FN**, relative to student health insurance plans. **OUGHT TO PASS.**

Rep. Peter Spanos for Finance. The purpose of this bill is to establish a mechanism to provide formal authorization for Dartmouth College and the University of New Hampshire to continue

to operate student health insurance plans on a self-funded basis. This is necessary because of changes to the federal health care laws. Both institutions have been operating such plans for several years, and these plans offer health insurance at a lower cost than the Affordable Care Act (ACA) marketplace because the population found in the institutions is young and relatively healthy. As a result these plans save college students money and provide health care mandated under the ACA. However, now that the federal health care laws have changed, the institutions will be forced to cease offering the plans and to close their on campus health centers where students can be seen unless the New Hampshire Insurance Department collaborates with them and this provides the federally mandated oversight. Since these plans offer a much lower cost option to obtaining health insurance mandated under the ACA, the institutions requested assistance from the New Hampshire Insurance Department. The majority of the committee felt that this helped lower overall college costs and provided more than adequate health coverage at a reasonable cost to people who attend these institutions. Vote 26-0.

**SB 384**, relative to the feeding of wild deer. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jonathan Manley for Fish and Game and Marine Resources. This bill, as amended, allows the Department of Fish and Game to provide critical educational materials to businesses and establishments that sell wild animal feed regarding the dangers to deer health if they are fed certain foods at certain times of the year. The businesses and establishments may then pass the information along to their customers. The amendment removes from the bill the prohibition on feeding deer foods that are determined by the department to be detrimental to their health and the requirement that feed for wild deer be labeled "Feeding wild deer could be harmful or fatal to their health." The amendment also makes the distribution of the educational materials by the department to businesses and establishments optional, as well as the subsequent passing of the information along to customers. Vote 15-0.

**Amendment (1522h)**

Amend RSA 208:8-b as inserted by section 1 of the bill by replacing it with the following:

208:8-b Feeding of Wild Deer. The fish and game department may provide informational materials concerning the harmful or fatal feeding of wild deer to businesses and establishments in this state which sell or offer for sale wild animal feed. Any such business or establishment may provide the informational materials to persons purchasing wild animal feed.

**AMENDED ANALYSIS**

The bill authorizes the fish and game department to distribute informational materials on the feeding of wild deer.

**SB 127-FN**, relative to the appointment of special Medicaid representatives. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The purpose of this bill is to expedite the filing of an application for Medicaid in those cases where the resident or patient of a nursing home or hospital has not paid for his or her care and not filed an application for Medicaid. In most cases, the resident or patient lacks the ability to independently process an application for Medicaid and their family member or attorney has failed to assist in the process. The result is that the cost of care may be substantial to those institutions where delays in filing present a severe financial impact on those institutions rendering patient services. The original bill was substantially modified in subcommittee to address issues including: approval by the Centers for Medicare and Medicaid Services; patient notification; appointment of counsel for the patient; compensation limits for the special Medicaid representative; waiting periods; clarification of confidentiality provisions; and confidentiality of the completed Medicaid application. The majority of the committee was convinced that passage of this legislation will be protective of patient rights while at the same time providing nursing home and hospitals with a useful tool to speed up the process of filing Medicaid applications to the financial benefit of the institutions rendering patient services. Vote 17-2.

**Amendment (1367h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Special Medicaid Representatives. Amend RSA by inserting after chapter 151-H the following new chapter:

CHAPTER 151-I  
SPECIAL MEDICAID REPRESENTATIVES

151-I:1 Definitions. In this section:

I. "Care facility" means a long-term care facility licensed pursuant to He-P 803, 804, or 805 or "health care facility," "hospital," or "rehabilitation facility," as defined in RSA 151-C:2, XV-a, XX, and XXXIII.

II. "Commissioner" means the commissioner of the department of health and human services.

III. "Court" means the circuit court probate division.

IV. "Department" means the department of health and human services.

V. "Medicaid applicant" means the person and his or her agent, who applies for Medicaid benefits in accordance with a request made pursuant to RSA 151-I:2.

VI. "Person" means the patient or resident of a care facility from whom a completed Medicaid application is sought or for whom a special Medicaid representative is requested for the purpose of submitting a Medicaid application.

VII. "Special Medicaid representative" means an individual or entity appointed by the court to collect the information necessary and to complete and process an application for Medicaid with the department of health and human services.

151-I:2 Special Medicaid Representatives.

I. If a person in a care facility has not paid the costs of care as they become due through personal funds, Medicare, private health or long-term care insurance, the Affordable Care Act, or other third party arrangement, and the care facility in good faith believes that the person may be eligible for Medicaid benefits:

(a) The care facility may send out a written request signed by the duly-authorized representative of the care facility. The request shall be sent to the person, the person's spouse, and any of the person's known agents including without limitation guardians, conservators, agents under powers of attorney, or any contractually responsible family members, by certified mail, return receipt requested, to their last known address. The written request shall inform the person that the care facility reasonably believes the person is eligible for Medicaid and inform the person on how to file a Medicaid application with the department. The written request shall also notify the person that if the person chooses not to file a Medicaid application the facility may petition the court for the appointment of a special Medicaid representative pursuant to this chapter.

(b) If the person or one of the person's agents files a Medicaid application, the application shall be in a form sufficient to be accepted to begin processing by the department and Medicaid eligibility shall be determined consistent with RSA 151-E:3 and RSA 167:4. A contemporaneous notice and copy of the application shall be provided by the person to the care facility, the person's spouse, and any of the person's known agents, by certified mail, return receipt requested; provided however that the Medicaid applicant may omit the copy of the Medicaid application in the notice to the care facility.

(c) If the person or the person's agents file the Medicaid application, the care facility may also request that they cooperate with the care facility in executing authorizations in favor of the care facility including, but not limited to, authorizing the care facility to communicate with the department regarding the Medicaid application, and otherwise cooperate in obtaining any additional financial and asset information required by the department to complete and process the Medicaid application such that it is sufficiently complete for the department to make an eligibility determination; provided, however, that the care facility shall minimize to the extent possible the number of authorized employees who work on the application or have access to the person's financial and asset information. To the extent that the person and the person's agents cooperate and execute such authorizations and the care facility receives such information, the employees of the facility shall have a duty to preserve the confidentiality of the information, except to the extent necessary for the processing of the Medicaid application. The department shall promptly respond to any inquiries by the person, the person's legal agent, or care facility as to the status of the Medicaid application. Notwithstanding any other provision of this chapter, any refusal of the person or the person's agents to execute authorizations in favor of a care facility shall be subject to the right of the facility to petition the court for the appointment of a special Medicaid representative for noncooperation as stated in subparagraph (d).

(d) The care facility may petition the court for the appointment of a special Medicaid representative:

(1) If the care facility does not, upon the care facility's inquiry, receive confirmation from the department of the filing of a Medicaid application within 5 business days of the care facility's inquiry in accordance with subparagraph (b); or

(2) If the care facility does not, upon the care facility's inquiry, receive confirmation from the department within 15 business days of the care facility's inquiry that the Medicaid application has been completed and is waiting for an eligibility determination consistent with RSA 151-E:3 and RSA 167:4.

(e) For the purposes of this chapter only, if the otherwise eligible Medicaid applicant or care facility has attempted in good faith to obtain financial and asset information but is being prevented from providing this information because of a third party, then the department shall not deny the Medicaid application for failure to provide this information, if the Medicaid applicant or care facility provides documentation that they have made good faith efforts, but have failed to obtain such information by:

(1) Sending 2 written requests to the third party demanding the requested information; and

(2) If such requests are unsuccessful, filing a motion to compel or a petition for discovery in a court of competent jurisdiction to order the third party to provide the requested information.

(f) In those instances where the Medicaid applicant or an authorized care facility seeks financial or asset information from an individual or entity, the individual or entity shall respond and produce the requested information to the extent that the individual or entity is in possession of such information no later than 30 days after receipt of the request, unless the individual or entity can show good cause in writing to the Medicaid applicant or care facility why more time is required or why it should not have to produce some or all of the information.

(g) Individuals or entities responding to a request for information from a Medicaid applicant or an authorized facility pursuant to this section shall only be permitted to charge reasonable costs of responding, including no more than \$.25 per page for copying. If an individual or entity fails to respond within 30 days, then it shall forfeit any right to reimbursement for responding or copying or related costs.

(h) When the Medicaid applicant or the authorized care facility believe that the Medicaid application is ready for an eligibility determination and so notify the department, the department shall state with specificity the information that still needs to be provided, or else act on the application within 90 days and eligibility determinations shall be made consistent with RSA 151-E:3 and RSA 167:4.

II.(a) Except in those instances where the court has already commenced a guardianship of the estate or the person or conservatorship as described under subparagraph (c), when the Medicaid applicant and, where applicable and required, the person's spouse, fails to cooperate in the Medicaid application process, the care facility may petition the court for the appointment of a special Medicaid representative for the limited purpose of applying for Medicaid for the person. The petition shall include the names and addresses of any current agents under any power of attorney over the person or the person's finances and assets, as known to the care facility and shall also include the following information:

(1) The name, address, corporate or agency status of the petitioning care facility and its connection with or relationship to the person.

(2) The name, age, and address of the person.

(3) The names and addresses of adult spouses, parents, children and siblings of the person, so far as they are known to the care facility.

(4) The name, address, occupation and relationship to the person, if any, of the proposed special Medicaid representative.

(5) The name and address of counsel, if any, for the person.

(b) The care facility shall file a statement with the petition containing facts demonstrating the need for the appointment of a special Medicaid representative which shall include an affidavit of a duly-authorized representative of the care facility demonstrating the basis for its belief that a Medicaid application is necessary, and that the written request has been provided to the person or any agents of the person, and that neither the person nor any of the person's agents have filed a Medicaid application with the department that meets the requirements of subparagraph I(b) or that the person or the person's agents have otherwise failed to cooperate as stated above in paragraph I(c) and (d).

(c) If the court has already commenced a guardianship of the estate or the person or a conservatorship, the care facility shall petition the court in that proceeding for relief compelling the guardian or conservator to submit and complete the Medicaid application.

III. A special Medicaid representative shall have the authority to request and receive from any individuals or entities, including any government entities and financial institutions, and to compile and report in the form of a Medicaid application, all information required by the department to determine the person's eligibility for Medicaid, and shall have the duty to expeditiously submit, complete, and prosecute such application. The Medicaid applicant and the care facility shall have a duty to cooperate with the special Medicaid representative. Any individual or entity receiving a request from such special Medicaid representative shall comply with the request no later than 30 days after receipt of such request to the extent that the individual or entity is in possession of such information, unless the individual or entity can show good cause in writing why more time is required or why it should not have to produce some or all of the information. If the individual or entity fails to comply with the request for information, the special Medicaid representative may notify the court of that failure with notice to the individual or entity by certified mail, return receipt requested, and the court may issue such orders as appropriate for the failure to respond. The special Medicaid representative shall provide contemporaneous notice to the person, the person's spouse, and the person's agents of any such request for information, by certified mail, return receipt requested.

IV. (a) Within 10 days of the filing of the petition, the court shall issue orders of notice to the person, the person's spouse, and any of the person's known agents as provided to the court which shall contain:

(1) The date, time, and place set for the hearing on the petition, which hearing shall take place no later than 40 days from the filing of the petition.

(2) The deadline by which any interested parties shall file an objection to the petition.

(3) Information regarding the purpose of the appointment of a special Medicaid representative.

(4) Information regarding the rights of the person or the person's agents in the proceedings such as the right to oppose the proceeding, to attend the hearing, and to present evidence.

(5) Notice that, if the petition is granted, the person may be liable for the fees and expenses of the special Medicaid representative as allowed by the court.

(b) Orders of notice of the hearing shall include a copy of the petition and shall issue by first class mail to the:

(1) Person, the person's counsel, if any, the person's spouse, and the person's agents whose names and addresses appear on the petition;

(2) Proposed special Medicaid representative; and

(3) Care facility.

(c) At the hearing on the petition, the care facility shall have the burden of proving by a preponderance of the evidence that the Medicaid application is necessary, that the care facility has requested that the person or the person's agents submit and complete a Medicaid application to the department, and that no Medicaid application has been submitted to the department for the person or that, where an application was submitted, the person, the person's spouse, or the person's agents have failed to cooperate or diligently prosecute the application. If the care facility meets its burden of proof, the court shall enter an order granting the petition and expressly and specifically memorializing the authority of the special Medicaid representative to request and receive from any entity or individual any and all information about the finances and assets of the person and the person's spouse, if applicable, required by the department to determine the person's eligibility for Medicaid consistent with RSA 151-E:3 and RSA 167:4 and authorizing the care facility to have access to the information obtained by the special Medicaid representative. The order granting the petition shall not be stayed pending appeal except where expressly ordered by the court upon good cause shown. The special Medicaid representative shall not be an employee of the care facility provided however that this provision shall not bar the voluntary payment in whole or in part of any fees of the special Medicaid representative by a care facility pursuant to subparagraph V(c).

(d) Objections, if any, to the petition shall be filed by the deadline scheduled by the court which shall in any event be no later than 5 days before the hearing date and shall describe with specificity the objection and the grounds for the objection; provided, however, that no such objection shall be sustained unless the objector can show by a preponderance of the evidence that:

(1) A full and complete Medicaid application has been submitted to the department by the person or the person's agents;

(2) Since the filing of the petition the person has paid the previously outstanding balance and the person has the financial capability to pay the estimated costs of care of the person at the care facility for a minimum of 6 months from the date of the hearing;

(3) The person has adequate insurance or other third-party coverage to pay the care facility's costs of care;

(4) The filing of the Medicaid application is not in the best interest of the person; or

(5) The person is not eligible for Medicaid.

(e) Unless the person is represented by private counsel or makes a knowing, voluntary, and intelligent waiver, the court shall appoint counsel, the fees and costs for which shall be paid from the estate of the person or, upon a finding that the person is indigent, from the care facility; provided, however, that such fees and costs are reasonable and approved by the court and further provided that in no event shall the fees and costs of such counsel exceed \$900 in the aggregate. The said fees and costs may also be paid by the care facility by agreement.

V.(a) The special Medicaid representative shall file an annual status report with the court on the anniversary of the appointment of the special Medicaid representative, and shall file a final status report with any motion to terminate the authority of the special Medicaid representative. The authority of the special Medicaid representative shall terminate upon motion and order of the court following the final approval or denial by the department of the Medicaid application after a full eligibility determination as to the person including the resolution of all appeals. The court may require a bond from the special Medicaid representative in such sum as it deems appropriate. In the discretion of the court, a bond without sureties may be given.

(b) Information obtained pursuant to this chapter shall not be used for any purpose other than obtaining Medicaid coverage for the person and all such information shall otherwise remain confidential except as to the special Medicaid representative. The court may enter such orders as it deems appropriate upon proof by a preponderance of the evidence of a violation of the duty of confidentiality described in this subparagraph.

(c) The court, in its discretion, may award the special Medicaid representative reasonable compensation in an amount not to exceed \$500 for his or her services, including, but not limited to, expenses, legal fees, and other costs to be paid from the assets of the person as determined by the court as allowed by law; however, no Medicaid funds shall be used to pay for the special Medicaid representative's compensation and no general funds shall be used to pay for the special Medicaid representative's compensation unless the general court appropriates funds specifically for such a purpose. Said compensation for services, expenses, legal fees, and other costs of the special Medicaid representative may also be paid by agreement with any other interested party.

(d) Nothing contained in this chapter shall diminish any other rights of a care facility.

2 Applicability. The implementation of RSA 151-I as inserted by section 1 of this act shall be subject to written approval by the Centers for Medicare and Medicaid Services. If required, the commissioner of the department of health and human services shall develop and prepare amendments to the state Medicaid plan for submission and approval to the Centers for Medicare and Medicaid Services (CMS). The commissioner shall seek and have in place approval from the CMS by December 31, 2016. The commissioner shall certify the date of approval to the secretary of state and the director of legislative services.

### 3 Effective Date.

I. Section 2 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect January 1, 2017.

**SB 361, banning the sale of premixed synthetic urine. OUGHT TO PASS WITH AMENDMENT.** Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill seeks to ban the sale of synthetic urine. The sole purpose of synthetic urine is to defraud a drug or alcohol screening test. This committee unanimously believes that there is no legitimate use of the product and that it should be illegal. Vote 19-0.

### Amendment (1382h)

Amend the title of the bill by replacing it with the following:

AN ACT banning the sale and possession of synthetic urine and urine additives.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Sale of Synthetic Drugs; Synthetic Urine and Urine Additives. Amend RSA 359-O by inserting after section 7 the following new subdivision:

Synthetic Urine and Urine Additives

359-O:8 Sale or Possession of Synthetic Urine and Urine Additives Prohibited.

## I. No person or business shall:

(a) Manufacture, sell, distribute, market, or possess synthetic urine or urine additives.

(b) Attempt to defeat a drug or alcohol screening test by using synthetic urine or urine additives.

II. In this section, “drug or alcohol screening test” means an analysis of a sample of bodily fluid collected from a person for the purpose of detecting the presence of alcohol or drugs in the bodily fluid of the person.

III. Any person or business who violates this subdivision shall be subject to the penalty in RSA 359-O:5, I.

## AMENDED ANALYSIS

This bill prohibits the manufacture, sale, and possession of synthetic urine or urine additives to defeat a drug or alcohol screening test.

**SB 419-FN**, relative to requests by law enforcement officials under the law governing the therapeutic use of cannabis. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill makes a number of changes requested by the Department of Health and Human Services to improve implementation of our therapeutic cannabis laws. This bill removes barriers for citizens to access the program by allowing border state medical providers to certify NH qualifying patients for the program. It allows certain residential facilities licensed under RSA 151 to possess cannabis on behalf of their residents under certain conditions. An exemption to RSA 91-A keeps law enforcement requests of the cannabis registry confidential. It creates administrative efficiencies in the criminal record check process. Vote 16-0.

## Amendment (1339h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to certain changes in the law governing the therapeutic use of cannabis.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1 by inserting after paragraph VI the following new paragraph:

VI-a. “Facility caregiver” means a residential care facility, nursing home, hospital or hospice house licensed under RSA 151 which has agreed to allow one or more qualifying patients who are residents or patients of the facility to utilize therapeutic cannabis obtained by the resident or the resident’s designated caregiver from an alternative treatment center, and which has agreed to assist such residents in the therapeutic use of their cannabis in accordance with a policy developed by the facility, and in accordance with rules adopted by the commissioner of health and human services pursuant to RSA 541-A.

2 Use of Cannabis for Therapeutic Purposes; Definitions. RSA 126-X:1, VII(a) is repealed and reenacted to read as follows:

(a) “Provider” means:

(1) A physician licensed to prescribe drugs to humans under RSA 329 and who possesses an active registration from the United States Drug Enforcement Administration to prescribe controlled substances;

(2) An advanced practice registered nurse licensed pursuant to RSA 326-B:18 and who possesses an active registration from the United States Drug Enforcement Administration to prescribe controlled substances; or

(3) A physician or advanced practice registered nurse licensed to prescribe drugs to humans under the relevant state licensing laws in Maine, Massachusetts, or Vermont and who possesses an active registration from the United States Drug Enforcement Administration to prescribe controlled substances and who is primarily responsible for the patient’s care related to his or her qualifying medical condition.

3 Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, VII(b) to read as follows:

(b) For a visiting qualifying patient, “provider” means an individual licensed to prescribe drugs to humans in the state of the patient’s residence and who possesses [certification] **an active registration** from the United States Drug Enforcement Administration to prescribe controlled substances. Such visiting patient shall not be eligible to purchase or transfer cannabis from an eligible New Hampshire patient.

4 New Paragraph; Use of Cannabis for Therapeutic Purposes; Therapeutic Use of Cannabis Protections. Amend RSA 126-X:2 by inserting after paragraph XV the following new paragraph:

XVI. A facility caregiver and those employees designated by the facility to assist qualifying patients, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or search, for acting pursuant to this chapter and department rules to possess cannabis on the premises of the facility for the purpose of assisting a qualifying patient who is a resident or patient of the facility in the therapeutic use of the qualifying patient's cannabis.

5 Use of Cannabis for Therapeutic Purposes; Prohibitions and Limitations on the Therapeutic Use of Cannabis. Amend RSA 126-X:3, III(c) to read as follows:

(c) Any accommodation of the therapeutic use of cannabis on the property or premises of any place of employment or on the property or premises of any **residential care facility, nursing home, hospital or hospice house**, jail, correctional facility, or other type of penal institution where prisoners reside or persons under arrest are detained. This chapter shall in no way limit an employer's ability to discipline an employee for ingesting cannabis in the workplace or for working while under the influence of cannabis.

6 New Paragraph; Use of Cannabis for Therapeutic Purposes; Prohibitions and Limitations on the Therapeutic Use of Cannabis. Amend RSA 126-X:3 by inserting after paragraph VII the following new paragraph:

VIII. A facility caregiver shall treat cannabis in a manner similar to medications with respect to its storage, security, and administration when assisting qualifying patients with the therapeutic use of cannabis.

7 Use of Cannabis for Therapeutic Purposes; Departmental Administration; Registry Identification Cards. Amend RSA 126-X:4, II-a to read as follows:

II-a. In addition to the information required pursuant to paragraph II, the department shall also receive ~~results of a criminal history records check~~ **notification of any felony convictions** from the division of state police. A person applying to be a designated caregiver shall submit directly to the department of safety a notarized criminal history records release form, as provided by the New Hampshire division of state police, authorizing the release of ~~his or her criminal history record, if any,~~ **any felony convictions** to the department. The applicant shall submit with the release form a complete set of electronic fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid for whatever reason, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances **showing no felony convictions** from every city, town, or county where the person has lived during the past 5 years. The division of state police shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall ~~submit a copy of the criminal history records~~ **report** to the department **whether or not there are any felony convictions**. The department shall maintain the confidentiality of ~~all~~ criminal history ~~records~~ **record** information received pursuant to this section. The applicant shall bear the cost of a criminal history records check.

8 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4, VII(b) to read as follows:

(b) The department shall track the number of qualifying patients certified by each provider and registered with the department. ~~[Any concerns regarding provider conduct shall be referred to the New Hampshire board of medicine or the New Hampshire board of nursing.]~~

**(c) Any concerns regarding provider conduct shall be referred to the New Hampshire board of medicine, the New Hampshire board of nursing, or the appropriate regulatory entity in Maine, Massachusetts, or Vermont. The New Hampshire board of medicine, the New Hampshire board of nursing, or the appropriate regulatory entity in Maine, Massachusetts, or Vermont may direct the department to prohibit a provider's participation in New Hampshire's therapeutic cannabis program if the regulatory entity takes disciplinary action against a provider regarding the provider's involvement in the therapeutic cannabis program in New Hampshire or in his or her respective state.**

9 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4, IX(c) to read as follows:



(c) When a qualifying patient or a designated caregiver notifies the department of any change to a name[;] or address, [~~or alternative treatment center;~~] the department shall issue the qualifying patient or designated caregiver a new registry identification card with a new random 10-digit identification number within 20 days of receiving the updated information.

10 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4, XI(b)(4) to read as follows:

*(4) Requests by law enforcement officials under this section to the department pursuant to a sworn affidavit, search warrant, or court order, regardless of whether or not the name or address was found in the registry, shall be confidential under this chapter and exempt from disclosure under RSA 91-A. Aggregate data relative to such requests may be made public if it does not contain any identifying information regarding the specific law enforcement request.*

(5) Counsel for the department may notify law enforcement officials about falsified or fraudulent information submitted to the department where counsel has made a legal determination that there is probable cause to believe the information is false or falsified.

11 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill clarifies the providers who are qualified to prescribe cannabis for therapeutic purposes. This bill authorizes certain facilities licensed under RSA 151 to assist qualifying patients in the therapeutic use of their cannabis. This bill also clarifies the confidentiality for requests by law enforcement officials for information under the use of cannabis for therapeutic purposes law.

**SB 430**, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. While the committee sees peer-to-peer recovery services as a vital link in the treatment of opioid addiction, it felt this commission would duplicate work done by another commission. Considerable work in this area has already been done with extensive input from stakeholders. Another commission may create confusion and delay the release of funds to support these much-needed services. Vote 17-0.

**SB 439**, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. **OUGHT TO PASS.**

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. The committee heard compelling testimony on the shortage of nurses and other skilled health care workers for home health and post-acute care services underscoring the need for this commission which would be charged with the task of in-depth investigation of the problem and developing comprehensive proposals for its remediation. Vote 17-0.

**SB 477-FN**, relative to nonemergency involuntary admissions. **OUGHT TO PASS.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation does not change the complex laws for involuntary admission to New Hampshire Hospital, or other designated receiving facilities (DRFs). This bill requires notification when a petition for non-emergency has been filed and when a court has made a decision regarding the petition. It also requires that New Hampshire Hospital and DRFs be apprised of the decision at the earliest practical time which allows for planning for a pending admission. Vote 16-0.

**SB 487**, relative to missing vulnerable adults. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill establishes a process to activate statewide alerts through designated media outlets when a vulnerable adult is reported missing. Conditions which could trigger the alert include mental or cognitive disability, intellectual or developmental disability, brain injury, or other physical, mental or emotional disability which requires immediate action in order to locate the missing adult and ensure his or her safety. The bill includes reporting guidelines for a broad definition of caregivers, and sets out procedures for law enforcement agencies to follow whenever issuing the alert. The bill also shortens the time period for filing a report on a missing adult without vulnerabilities from 72 hours to 48 hours. Vote 16-0.

### Amendment (1301h)

Amend the bill by replacing section 1 with the following:

1 Chapter Heading. Amend the chapter heading of RSA 106-J to read as follows:

## CHAPTER 106-J

MISSING ~~[ADULTS, PERSONS WITH DEVELOPMENTAL DISABILITIES,  
-AND SENIOR CITIZENS]~~**ADULT PROGRAM AND MISSING VULNERABLE ADULT ALERT PROGRAM**

Amend RSA 106-J:3, III as inserted by section 5 of the bill by replacing it with the following:

III. "Missing vulnerable adult" includes, but is not limited to, a missing adult who:

- (a)(1) Is 18 years or older;
- (2) Whose whereabouts are unknown;
- (3) Whose last known whereabouts at the time he or she is reported missing is in New Hampshire; and
- (4) Whose disappearance poses a credible threat to the safety and health of the person, as determined by a local law enforcement agency; and
- (b)(1) Who has a mental or cognitive disability, such as dementia;
- (2) Who has an intellectual or developmental disability;
- (3) Who has a brain injury; or
- (4) Who has another physical, mental, or emotional disability.

Amend RSA 106-J:4, II and III as inserted by section 5 of the bill by replacing it with the following:

II. When a local law enforcement agency receives notice that a vulnerable adult is missing, the agency shall require the vulnerable adult's family or legal guardian to provide information relative to the vulnerable adult's impaired mental condition, intellectual or developmental disability, brain injury, or other physical, mental, or emotional disability. Once the local law enforcement agency is provided a statement from the vulnerable adult's caregiver that the vulnerable adult is missing and has an impairment, the local law enforcement agency shall notify the department.

III. When notified by a local law enforcement agency of a missing vulnerable adult, the department shall issue an immediate alert. The alert shall be sent to designated media outlets in New Hampshire. Participating radio stations, television stations, and other media outlets may issue the alert at designated intervals. The alert shall include all appropriate information from the local law enforcement agency that may assist in the safe recovery of the missing vulnerable adult and a statement instructing anyone with information related to the missing vulnerable adult to contact his or her local law enforcement agency.

Amend RSA 106-J:5, II as inserted by section 5 of the bill by replacing it with the following:

II. Transparency and communication with the existing Medic Alert + Safe Return program or a similar program, including a mechanism to enroll individuals who are involved in wandering incidents in Medic Alert + Safe Return on the department's website.

**SB 512, relative to health care associated infections. OUGHT TO PASS.**

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. This bill makes certain changes to the law governing the reporting of health care associated infections. The need for this bill was clarified by the testimony and the deliberation of the SB 56 commission on oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings (Chapter 147, Laws of 2015). The bill closes the gaps on reporting of outbreaks at dialysis centers and residential care facilities. Vote 19-0.

**SB 530-FN, establishing a commission to study volunteer health care services. OUGHT TO PASS WITH AMENDMENT.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill will establish a commission to study whether New Hampshire should create a program to allow medical professionals and licensed health care facilities to enter into contracts with the NH Department of Health and Human Services, or a governmental contractor to provide volunteer health care services to eligible low income persons and consider whether such services should be protected by immunity. Vote 16-1.

**Amendment (1182h)**

Amend RSA 126-A:70, II(a) as inserted by section 1 of the bill by inserting after subparagraph (8) the following new subparagraphs:

- (9) A representative of the New Hampshire Hospital Association, appointed by the association.
- (10) The attorney general, or designee.
- (11) A social worker, appointed by the board of mental health practice.
- (12) A pharmacist, appointed by the pharmacy board.

Amend RSA 126-A:70, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

**SB 541**, establishing a commission to study provider rates. **INEXPEDIENT TO LEGISLATE.** Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. There appears to be no practical need for the bill as it only addresses a few issues and there was limited support given in public hearing testimony. Vote 16-1.

**SB 553**, relative to implementation of the Medicaid managed care program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill as amended provides for guidelines that need to be met prior to implementation of Phase 2 of the Medicaid Managed Care Program. All reports submitted shall be in accordance with RSA 91-A (Right-to-Know law). Each plan prepared by the Department of Health and Human Services under section 2 of this bill shall be subject to notice and public comment for 60 days as well as a public hearing. Vote 17-0.

#### **Amendment (1745h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Medicaid Managed Care Program; Implementation. Notwithstanding any other provision of law to the contrary, the remaining unimplemented phases of the Medicaid managed care program, established in RSA 126-A:5, XIX, specifically nursing services; services provided under the choices for independence waiver; and services provided under the developmental disability, acquired brain disorder and in-home support waivers issued by the Centers for Medicare and Medicaid Services (CMS) under 42 USC section 1915(c), shall not be implemented until after:

I. The department of health and human services has prepared and adopted a comprehensive plan for the services to be incorporated into managed care.

II. The department has obtained approval by CMS of any waivers and state plan amendments necessary for the incorporation of such services into managed care.

III. The plan has been presented to the fiscal committee of the general court, the oversight committee on health and human services, established in RSA 126-A:13, and the county-state finance commission, established in RSA 28-B:1.

IV. The department has presented a report by the department's actuary on the per member/per month cost of providing services within managed care under each plan to the general court. The report shall also identify all applicable rate cell information and include medical loss ratio information on managed care organization performance in the New Hampshire Medicaid care management program. The report shall be subject to the provisions of RSA 91-A.

V. The governor and executive council have approved any contract or contract amendment for the implementation of such services into managed care.

2 Development of Plan. The department of health and human services shall develop the plan for the incorporation of nursing and waiver services into managed care, as follows:

I. No later than 30 days after the effective date of this section, the department shall convene a working group consisting, at a minimum, of representatives of the following stakeholders: each managed care plan under contract with the state, the New Hampshire Association of Counties, the New Hampshire Health Care Association, Community Support Network, Inc., Granite State Independent Living, the Brain Injury Association of New Hampshire, Granite State Home Health Association, a member of the house of representatives appointed by the speaker of the house of representatives, a member of the senate appointed by the senate president, an independent case management organization industry representative, a member of the governor's commission on managed care designated by the commission, and a member of the medical care advisory committee designated by the committee.

II. The working group shall be convened by the commissioner of health and human services and shall be subject to RSA 91-A. The department, in consultation with the working group, shall prepare a plan for the implementation of nursing and waiver services into managed care. Each plan shall include, at a minimum, a detailed description of the following: eligibility and enrollment, covered services, transition planning, prior authorization, transportation, pharmacy, case management, network adequacy,

credentialing, quality metrics and outcome measurements, patient safety, utilization management, finance and reimbursement, rates and payment, grievance and appeals, and office of ombudsman. Each plan shall also address how the incorporation of the services into managed care shall achieve the legislative intent of providing value, quality, efficiency, innovation, and savings.

III. The plans for implementation of nursing and home care services provided under the choices for independence waiver into managed care shall be prepared prior to the plan for any other waiver services. The preparation of any plan by the working group for the incorporation of services provided under the developmental disability, acquired brain syndrome, and in-home supports waivers shall commence only after the completion of implementation of nursing and home care services under the choices for independence waiver into managed care.

3 Hearing; Public Comment. Each plan prepared by the department under section 2 of this act shall be subject to notice and public comment for 60 days and a public hearing.

#### 4 Reports.

I. The department of health and human services shall present an update on the status of the plan preparation each month to the fiscal committee of the general court and the oversight committee on health and human services until the plan has been implemented. The department's updates shall also include managed care organization and department readiness for implementation.

II. No later than August 1, 2016, the department shall submit to the speaker of the house of representatives, the president of the senate, and the county-state finance commission, all proposed changes to state law the department believes may be necessary for the incorporation of nursing and waiver services into managed care.

5 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes procedures for the implementation of phase 2 of the Medicaid managed care plan.

**SB 337**, establishing a committee to study the immunity of court-appointed special advocates. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill would study the issue of providing the Court Appointed Special Advocates of New Hampshire and any court-appointed special advocate (CASA) appointed by RSA 169-C with immunity from civil and criminal liability for any act or omission with CASA's activity and authority as a court-appointed special advocate. The committee determined there is no need for a study committee. An improved approach would be to introduce a clean bill regarding CASA immunity in the next session. Vote 15-0.

**SB 402**, relative to procedures related to the disclosure of exculpatory evidence by police officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for Judiciary. This bill, as amended, sets guidelines and procedures for the production of potentially exculpatory evidence by prosecutors in criminal cases. It clarifies that the prosecutor, who has the legal duty to examine police personnel files for potentially exculpatory evidence, has the ability to access these files, while otherwise maintaining confidentiality. The bill provides for notice to the affected officer when it becomes known that the file contains such material and insures that the police officer has the opportunity to challenge disciplinary findings or administrative actions related to this kind of material. The bill finally mandates that no officer shall be fired solely on the basis that there is potentially exculpatory evidence in his or her personnel file. Vote 19-1.

#### Amendment (1729h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Police Officers; Disclosure of Exculpatory Evidence; Termination Prohibited. Amend RSA 105 by inserting after section 13-c the following new subdivision:

Disclosure of Exculpatory Evidence

105:13-d Disclosure of Exculpatory Evidence.

I. In this subdivision:

(a) "Exculpatory evidence" means any information required to be disclosed to the defendant in a criminal case under the federal Constitution or the state constitution.

(b) "Personnel file" includes all employment records and any related internal affairs investigations.

II. The prosecutor shall have access to the complete personnel file of any police officer who may be a witness for either party in any criminal case for the purpose of determining the existence of potentially exculpatory evidence. If the prosecutor cannot determine whether such evidence is exculpatory, he or she shall petition the court for an in camera review of the evidence. No prosecutor who reviews a police officer's personnel file shall disclose any information obtained as a result of the review, except as required in this paragraph or to the extent necessary to comply with the federal Constitution or state constitution. The personnel file shall remain confidential unless otherwise provided by law.

III. When the head of a law enforcement agency determines that a police officer's personnel file may contain potentially exculpatory evidence, he or she shall notify the police officer of that determination. The police officer shall have the opportunity to challenge the disciplinary finding or other administrative action resulting from the potentially exculpatory evidence through available contractual, administrative, and legal means. However, the pendency of such challenge shall not prevent the disclosure of the potentially exculpatory evidence in a criminal proceeding in which an officer is a potential witness.

IV. If a county prosecutor, outside of the requirements of a pending criminal case, disseminates or distributes to another person any document or list which contains names of police officers believed to have exculpatory evidence in their personnel files, the county attorney shall notify the attorney general of this fact within 5 business days of the dissemination or distribution. If the prosecutor distributes or disseminates such a list outside the requirements of a criminal case, the attorney general shall develop and implement procedures, which satisfy the due process requirements of the federal Constitution and state constitution, to allow a police officer to seek removal of his or her name from such document or list including but not limited to a declaratory judgment procedure under RSA 491:22. The attorney general shall implement such additional procedures no later than 180 days from the date of distribution by either the county attorney or the attorney general of the document or list.

V. The duty to disclose exculpatory evidence that should have been disclosed prior to trial shall be an ongoing duty that extends beyond a finding of guilt.

105:13-e Termination Prohibited. No police officer shall have his or her employment terminated based solely on a determination that the officer has potentially exculpatory evidence in his or her personnel file which may need to be disclosed to a criminal defendant. Nothing in this section shall prohibit the employing authority from terminating a police officer's employment based on conduct that is the subject of the exculpatory evidence.

2 Repeal. RSA 105:13-b, relative to confidentiality of police personnel files, is repealed.

3 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill requires a determination of whether information in a police officer's personnel file constitutes exculpatory evidence and allows a police officer who has information determined to be exculpatory evidence in his or her personnel file to have an opportunity to challenge the disciplinary finding. This bill also requires the attorney general to develop procedures for a police officer to have his or her name removed from a list of police officers believed to have exculpatory evidence in their personnel files.

**SB 449**, relative to payment of workers' compensation benefits by direct deposit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Ley for Labor, Industrial and Rehabilitative Services. This bill solves a problem regarding workers' compensation payments by specifying that the day of such weekly payments be specified in advance by the employer or employer's insurance carrier. By doing so, it permits the individual worker to better plan financially during her or his time on worker's compensation. Vote 18-0.

### Amendment (1749h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to weekly payment of workers' compensation benefits.

Amend RSA 281-A:40 as inserted by section 1 of the bill by replacing it with the following:

281-A:40 Memorandum of Payment. An employer or the employer's insurance carrier shall make payment of compensation in the amount and manner provided by this chapter. *Weekly payment shall be made on or before a day of the week designated in advance by the employer or the employer's insurance carrier at the onset of payment of disability.* The employer shall file memoranda of [such] payments with the commissioner in accordance with rules adopted by the commissioner under RSA 281-A:60.

## AMENDED ANALYSIS

This bill requires weekly payment of workers' compensation benefits to be made on or before a day of the week designated in advance by the employer or the employer's insurance carrier at the onset of payment of disability.

**SB 418**, adding National Guard members to the absentee voting laws and relative to enrollment of laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne Schuett for Legislative Administration. This bill includes active service National Guard members in the definition of absent uniformed services voters in the election laws. It also modifies procedures for enrolling bills and resolutions. The committee agreed with the bill as previously amended by the House, with an additional amendment clarifying that the Secretary of State is required to keep bills and resolutions as public records. Vote 6-0.

**Amendment (1669h)**

Amend the bill by replacing section 2 with the following:

2 Enrollment of Laws. Amend RSA 14:8 to read as follows:

14:8 Enrollment of Laws. All bills and resolutions which have passed both branches of the legislature shall be forwarded to the office of legislative services to be there enrolled and prepared for submission to the governor. After such enrollment the bill or resolution shall be forwarded *by the secretary of state* to the committee on enrolled bills for final approval. ~~[After said final approval the bill or resolution shall be forwarded to the secretary of state. He]~~ *The secretary of state* shall keep such bills and resolutions as public records of the state.

**SB 347**, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Municipal and County Government. This bill is enabling legislation to allow towns to adopt laws and ordinances regulating attire on state and municipal property. This provision already exists for cities but was lacking in towns. The committee heard two favorable testimonies and ten unfavorable at the hearing. Based on favorable testimony, the main impetus behind this bill seemed to be to allow towns and the state to ban female toplessness. The fear that the enabling legislation could be used to suppress free speech and restrict personal freedoms, possibly creating restrictions that were gender-specific, prevailed among the committee members. The committee might have considered removing this provision from the statutes for cities if it had not been for the fact that this would be retrospective legislation and would not have been upheld in court when existing ordinances were determined illegal. There has been no widespread evidence of the need for this legislation and the possibility of misuse outweighed the benefits. Also, this bill would have allowed the NH Department of Resources and Economic Development additional rulemaking authority to regulate dress codes in state waters or state parks, forests, or other state recreational areas. Vote 14-1.

**SB 348**, allowing municipalities to adopt a property tax credit for certain disabled veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill continues to expand the provisions for property tax credits for veterans. Current statute allows credits against the tax of a veteran's primary residence depending on time/place served, any loss of limbs and other qualifying conditions which also apply to a surviving spouse. This bill adds another level of credit even though it is enabling legislation and must be approved by the legislative body. One might wonder where it all ends. However, there is a lot of misunderstanding in the wording of this bill and, when the committee heard testimony from the Veterans Administration Hospital as to what the meaning of "totally and permanently disabled" meant and the difference with that provision and "100% disabled" the clouds cleared a bit. Many veterans are determined 100% disabled due to progressive smaller disabilities that add up to 100% but they are not "totally and permanently" disabled. This rating is not easily obtained and may take years to be determined after the VA determines that the veteran has no chance of getting better or back to leading a normal life. The bill, however, did nothing to address the cumulative credits the veteran could benefit from when adding the other provisions currently in statute. Vote 15-1.

**SB 438**, relative to the aesthetic maintenance of highway intersections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Pierce for Public Works and Highways. This bill, as introduced, sought to allow private entities to aesthetically improve and maintain state highway intersections through creation of RSA 230-84. The bill, as amended, accomplishes the same goal by adding “aesthetic maintenance” to RSA 230-83 thus expanding the scope of what NHDOT allows by sponsorship of private beautification contributions, whether the contribution is limited to just the immediate area of highway intersection or the traditional sponsorship of a length of state highway. Vote 16-0.

**Amendment (1589h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the aesthetic maintenance of highways.

Amend the bill by replacing section 1 with the following:

1 State Highways; Sponsor-a-Highway Program; Aesthetic Maintenance. Amend the introductory paragraph of RSA 230:83, II to read as follows:

II. May recognize a citizen, group, association, or business that sponsors *and/or provides aesthetic maintenance on* a section of highway by erecting a suitable recognition sign meeting the following criteria:

**AMENDED ANALYSIS**

This bill permits the commissioner of the department of transportation to enter into agreements with private entities for the aesthetic maintenance of highways.

**SB 549-FN**, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark McConkey for Public Works and Highways. As amended, this bill is the product of the SB 88 study committee relative to Public Private Partnership (P3) for transportation infrastructure projects and establishes an oversight commission to vet P3 projects prior to being brought to the Commissioner of Transportation. This bill is another tool in the Department of Transportation’s toolbox to share resources to finance, design, build, operate and maintain transportation infrastructure projects when limited financial resources are available. This bill as amended preserves legislative oversight. P3 projects must receive approval by the Governor, Council and Capital Budget Overview Committee and all P3 projects shall be approved as part of the state 10-year transportation improvement program in accordance with RSA 240. Vote 16-0.

**Amendment (1606h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose Statement. Public-private partnerships allow for the sharing of resources to finance, design, build, operate, and maintain transportation infrastructure projects and are especially effective when limited financial resources are available. Such partnerships provide for shared financial responsibilities between the private sector and a public agency. To accomplish that, a clear and succinct law needs to be implemented that considers our infrastructure requirements, delineates responsibilities and commitments, and identifies risks and rewards of both parties. Public-private partnership legislation is designed to address these issues in order to attract the needed investment to sustain and promote growth while maintaining our transportation infrastructure.

2 New Paragraph; Transportation Administration; Powers of Commissioner. Amend RSA 228:21 by inserting after paragraph II the following new paragraph:

III. The commissioner, upon the approval of the governor and council and the capital budget overview committee, may enter into agreements with private entities for design-build-finance-operate-maintain or design-build-operate-maintain services for transportation infrastructure projects under RSA 228:107 through RSA 228:115, provided that such projects shall be approved as part of the state 10-year transportation improvement program in accordance with RSA 240.

3 New Subdivision; Public-Private Partnership Projects. Amend RSA 228 by inserting after section 106 the following new subdivision:

**Public-Private Partnership Projects**

228:107 Public-Private Partnership Infrastructure Oversight Commission Established. There is established a public-private partnership transportation infrastructure oversight commission to consider and recommend to the commissioner of transportation projects that may be suitable for delivery using design-build-finance-operate-maintain or design-build-operate-maintain services. The commission shall act as an advisory board during the execution of a public-private partnership project, supporting the department in the development of a request for proposals and in the preparation of agreements for public-private partnership projects.

**228:108 Membership.**

I. The commission established in RSA 228:107 shall have the following members: 2 members who shall reside in different geographic regions of the state, to be appointed by the governor for terms of 2 years; 2 members to be appointed by the president of the senate for terms of 2 years; 2 members to be appointed by the speaker of the house of representatives for terms of 2 years; and one member to be appointed by the state treasurer, who shall not be an employee of the state treasurer, for a term of 2 years. The commissioner, or designee, shall serve as a non-voting member of the commission.

II. Each member of the commission shall be an expert with experience in the fields of transportation law, public policy, public finance, management consulting, transportation, or organizational change; provided that one of the members appointed by the governor shall be an expert in the field of public finance, and one member appointed by the governor shall be an expert in the field of transportation. The governor shall appoint a chairperson from among the members. The members may be eligible for reappointment; however, no member shall serve for more than 3 terms.

III. No person shall be appointed a voting member of the commission who is registered or was registered within the prior one-year period with the secretary of state as a lobbyist under RSA 15; no voting member shall have been a member or employee of the general court or an employee of the executive branch for a period of 6 months prior to his or her appointment; and no member shall have been employed by an organization that has business before the commission, for a period of at least one year prior to his or her appointment.

IV. The commissioner shall call the first meeting within 90 days of the effective date of this section.

V. Members of the commission shall receive mileage at the state employee rate when attending to the duties of the commission.

**228:109 Duties.**

**I. The commission shall:**

(a) Establish a general framework for public-private partnership contracts that establishes a process for the submission and evaluation of all such projects and provides a format and forms to enable the bidder to comply with the requirements including terms and conditions.

(b) Provide for the submission of unsolicited proposals, including setting qualification criteria for unsolicited proposals and establishing a process for evaluating unsolicited proposals.

(c) Provide a method and structure for using public advisors for strategic planning, proposal evaluations, and project monitoring and utilize public professionals on a case by case basis.

(d) Perform an analysis to determine whether a project is suitable for a public-private partnership whenever the department notifies the commission of its intent to pursue a public-private partnership contract.

(e) Hold a minimum of 2 publicly noticed hearings per project to establish whether public-private partnership is the appropriate procurement method. Such notice shall be provided at least 14 days prior to the hearing date. The commission shall allow for a 30-day public comment period following the publicly noticed hearing.

(f) Make recommendations to the commissioner, subject to the approval of the governor and council and the capital budget overview committee, concerning the use of public-private partnerships for certain projects.

(g) Upon approval of the governor and council and the capital budget overview committee, the commission shall support the department in the development of a request for proposals.

(h) Provide criteria for qualifications to bid per project, including but not limited to, adequate equipment to perform, financial stability, and proven record on projects of this type.



(i) Assure that any public-private partnership agreement is advanced in accordance with the department's design, permitting, and right of way acquisition process and complies with all federal and state design criteria.

(j) Estimate the costs associated with hiring qualified private and public support personnel to advance and oversee any public-private partnership contract.

(k) Hold a minimum of one publicly noticed hearing per project to solicit public feedback concerning the draft request for proposals. Such notice shall be provided at least 14 days prior to the hearing date. The commission shall allow for a 30-day public comment period following the publicly noticed hearing.

II. Once the commission is satisfied that the request for proposals is complete, governor and council approval shall be obtained before it is released by the department.

228:110 Procedure. Whenever the department notifies the commission that it is contemplating the use of a public-private partnership contract for design-build-finance-operate-maintain or design-build-operate-maintain services, the department shall submit a written request to the commission for its consideration. The commission shall provide an initial written response to the request to consider a public-private partnership contract within 15 days. No request for proposals shall be issued by the department for a public-private agreement for design-build-finance-operate-maintain or design-build-operate-maintain services without the commission's written recommendation and concurrence by governor and council of both the procurement method and content of the request for proposals.

228:111 Commission Report. The commission shall issue the following reports:

I. Within 6 months of the first meeting of the commission a copy of the framework establishing the process for the submission and evaluation of public-private partnership projects shall be provided to the chairpersons of the public works and highways committee, the senate transportation committee and the governor and council. The framework shall include the process for the submission of both solicited and unsolicited proposals and a process for evaluating such proposals. It shall also include how public advisors may be utilized for planning, evaluating, and monitoring of projects.

II. Annually thereafter, a report on the work of the commission shall be provided to the individuals listed in paragraph I, including but not limited to, the number of projects reviewed, the recommendations for such projects and the number of requests for proposals being developed.

228:112 Project Reports.

I. For each request to establish a public-private partnership contract for design-build-finance-operate-maintain or design-build-operate-maintain services, the commission shall report on issues surrounding the project including, but not limited to:

- (a) The impact on current state employees.
- (b) The policy and regulatory structure for overseeing a privately operated transportation facility and ongoing legislative oversight.
- (c) Issues of taxation, profit-sharing, and resolution of new revenue producing ideas.
- (d) Advertising and marketing.
- (e) Use of new technologies.
- (f) Lease terms and termination clauses.
- (g) Additional responsibilities by both the private infrastructure operator and the state during the lease period.

- (h) The financial valuation of the state transportation facility.
- (i) Issues of public concern.
- (j) The anticipated advantages of entering into the anticipated public-private agreement for design-build-finance-operate-maintain or design-build-operate-maintain services.

II. The report shall be delivered within 30 days of the commission's recommendation concerning the use of design-build-finance-operate-maintain or design-build-operate-maintain services to the chairpersons of the public works and highways committee, the senate transportation committee, and the governor and council.

228:113 Contributions from Other States. When a project involves one or more other states, the commissioner may receive and accept capital contributions and funding from such other states and may approve the transfer of support personnel and experts.

228:114 State and Federal Funding. Any public-private partnership projects shall be approved as part of the state 10-year transportation improvement program in accordance with RSA 240.

228:115 Liability Insurance. Any contract for public-private design-build-finance-operate-maintain or design-build-operate-maintain services shall provide for securing and maintaining a liability insurance policy for contractors and engineers in the design phase of a project which shall be limited to 10 percent of the cost of such project. A certificate of liability compliance shall be included in the bid. Any such contract shall require a bond under RSA 447:16 for the design-build and bonds, letters of credit, or other forms of security for the operations and maintenance phases of the project.

4 Effective Date. This act shall take effect 60 days after its passage.

**SB 363**, relative to the definition of owner of an OHRV or snowmobile. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Potucek for Resources, Recreation and Development. This bill came to the committee with wording which was confusing to the members. The committee amendment, which replaces the entire bill, authorizes a trust to designate a beneficiary as the person who may register with the state an OHRV or a snowmobile that is held by the trust. Prior to this bill, this particular point was not addressed by existing statute. Vote 16-0.

**Amendment (1386h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to OHRVs and snowmobiles held by a trust.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; OHRV Held By Trust. Amend RSA 215-A:21 by inserting after paragraph II-c the following new paragraph:

II-d. If an OHRV is held by a trust, the trust may designate a person who is a beneficiary to register the vehicle in the person's name pursuant to this chapter.

2 New Paragraph; Snowmobile Held By A Trust. Amend RSA 215-C:36 by inserting after paragraph IV the following new paragraph:

IV-a. If a snowmobile is held by a trust, the trust may designate a person who is a beneficiary to register the snowmobile in the person's name pursuant to this chapter.

3 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill allows a trust holding an OHRV or snowmobile to designate a person to register the vehicle in his or her name.

**SB 383**, establishing a commission to study the importance of hiking trails, trail maintenance, and New Hampshire's trail network. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frederick Rice for Resources, Recreation and Development. This bill establishes a commission to study the state's hiking trail network. The amendment adds the requirement to inventory the trail system, to define the role of individual trail maintenance groups in various parts of the state, and to make recommendations on how to improve the trail network. Vote 16-0.

**Amendment (1526h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study and recommend improvements to the New Hampshire hiking trails network.

Amend the bill by replacing sections 1 and 2 with the following:

1 New Subdivision; Multi-use Statewide Trail System; Commission to Study and Recommend Improvements to the New Hampshire Hiking Trails Network. Amend RSA 216-F by inserting after section 6 the following new subdivision:

Commission to Study and Recommend Improvements  
to the New Hampshire Hiking Trails Network

216-F:7 Commission Established; Membership.

I. There is established a commission to study and recommend improvements to the New Hampshire hiking trails network. The members of the commission shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) One member of the house of representatives, appointed by the speaker of the house of representatives.

(c) The director of the department of resources and economic development, division of state parks, or designee.

(d) One representative from the Appalachian Mountain Club, appointed by the club.

(e) One representative from the Wonalancet Outdoor Club, appointed by the club.

(f) One representative from the Dartmouth Outdoor Program/Dartmouth Outing Club, appointed by that organization.

(g) One representative from the Randolph Mountain Club, appointed by the club.

(h) One representative from Trailwrights, appointed by the organization.

(i) One member representing the interests of the White Mountain National Forest, appointed by the administrator of the White Mountain National Forest.

(j) One member from the Cardigan Highlanders Volunteer Trail Crew, appointed by that organization.

(k) One member from the Monadnock-Sunapee Greenway Trail Club, appointed by that organization.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall:

(a) Evaluate and recommend how various groups might work together to maintain and repair New Hampshire's trail network.

(b) Inventory the trail system in New Hampshire and the role of individual trail maintenance groups in various parts of the state.

(c) Create a list of who maintains which trails and which trails are not maintained by any organized group.

(d) Examine the historical management of trails in New Hampshire.

(e) Create strategic recommendations for a more sustainable trail network in New Hampshire.

(f) Examine the cost and volunteer efforts required in maintaining these trails as well as liability protections for trail maintainers.

(g) Solicit the opinions of volunteer trail maintainers.

(h) Study the economic impact of trails in the state of New Hampshire.

(i) Research additional funding sources that could enhance trail maintenance in New Hampshire.

(j) Solicit the advice of educational institutions which may want to be involved in trail maintenance and or trail maintenance research.

(k) Make recommendations for creating a sustainable model for trail management while accommodating the growing use of the trails.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2017.

2 Repeal. RSA 216-F:7, relative to the commission to study and recommend improvements to the New Hampshire hiking trails network, is repealed.

#### AMENDED ANALYSIS

This bill establishes a commission to study and recommend improvements to the New Hampshire hiking trails network.

**SB 333**, relative to net energy metering. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill mirrored HB 1116 which has already passed the House and been concurred with by the Senate. Therefore, this bill is unnecessary. Vote 14-0.

**SB 436**, relative to after market automobile parts. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill prohibits an insurer from requiring or specifying aftermarket body parts on any leased vehicle or any new vehicle for up to two years or 30,000 miles. The bill codifies a portion of New Hampshire Department of Insurance bulletin insurance number

99-14-AB into statute for stronger enforceability. The committee felt this change was needed for consumer protection due to the value of vehicles and the lack of definitive information on the safety of some aftermarket parts. The amendment clarifies an insurer's responsibility when requesting aftermarket parts and allows an installer to file a complaint on the consumer's behalf. Vote 13-2.

**SB 239-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. This bill, as amended by the committee, brings New Hampshire business tax codes into alignment with the United States Internal Revenue Code in effect on December 31, 2015. The amendment makes several changes to the bill, including moving the timing and tax year applicability of the update from 2016 to 2017; it expands the number of exceptions to the code's application; and it increases the amount of a capped expense deduction. The amendment also does not allow for an automatic or "rolling" update to federal tax codes without state legislative action. The exceptions to the IRS code's application for NH tax purposes are codes related to Section 168(k), accelerated cost recovery system; Section 199, income attributable to domestic production activities; and Section 181, treatment of certain qualified film and television productions. In addition, Section 179 of the Internal Revenue Code related to expense deductions which are capped at \$500,000 at the federal level will be capped at \$100,000 by New Hampshire. This is an increase from the current \$25,000 level in New Hampshire statute. The sections of the Internal Revenue Codes brought up to date in New Hampshire statute by this bill include Section 108, income from discharge indebtedness; Section 195, start-up expenditures; Section 248, organizational expenditure; Section 709, treatment of organization and syndication fees; Section 179D, energy efficient commercial buildings deduction; Section 48, energy credit; and Section 114, extraterritorial income. To keep up with the Internal Revenue Code changes this bill directs the New Hampshire Commissioner of Revenue Administration to file a report not later than March 31 of each year with the Ways and Means Committees of the NH Senate and NH House of Representatives informing them of any changes to the United States Internal Revenue Code, related Treasury regulations, and administrative rulings, which would impact New Hampshire. These bodies would then annually act to determine if those changes should be incorporated into New Hampshire statute. The goal of this legislation is to keep New Hampshire statutes as close to federal statutes where deemed appropriate by the legislature to streamline the tax filing process for New Hampshire businesses. Vote 19-0.

#### **Amendment (1552h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Business Profits Tax; Definition; United States Internal Revenue Code. Amend RSA 77-A:1, XX by inserting after subparagraph (l) the following new subparagraph:

(m) For all taxable periods beginning on or after January 1, 2017, the United States Internal Revenue Code of 1986 in effect on December 31, 2015, subject to RSA 77-A:3-b.

2 New Section; Business Profits Tax; Adjustments; Internal Revenue Code. Amend RSA 77-A by inserting after section 3-a the following new section:

77-A:3-b Adjustments; Internal Revenue Code Provisions. In determining gross business profits for any period, before net operating loss and special deductions, a business organization shall apply the provisions of the United States Internal Revenue Code consistent with the provisions of this chapter, with the following adjustments:

I. The United States Internal Revenue Code shall be applied without section 168(k) of such code.

II. The United States Internal Revenue Code shall be applied without section 199 of such code.

III. The United States Internal Revenue Code shall be applied without section 181 of such code.

IV. Section 179 of the Internal Revenue Code shall be applied as provided in RSA 77-A:3-a.

3 Applicability. Section 2 of this act shall apply to taxable periods beginning on or after January 1, 2017.

4 Business Profits Tax; Section 179 Expense Deductions. RSA 77-A:3-a is repealed and reenacted to read as follows:

77-A:3-a Expense Deductions. In determining gross business profits before net operating loss and special deductions, a business organization shall calculate expense deductions as permitted under Section 179 of the Internal Revenue Code as provided in RSA 77-A:1, XX, except that for property placed in service on or after January 1, 2017, a business organization shall calculate expense deductions not to exceed \$100,000.

5 New Paragraph; Duties of the Commissioner of Revenue Administration; Report; Internal Revenue Code Changes. Amend RSA 21-J:3 by inserting after paragraph XXXII the following new paragraph:

XXXIII. File a report not later than March 31 of each year with the ways and means committees of the senate and the house of representatives informing the committees of any changes to the United States Internal Revenue Code, related Treasury Regulations, and administrative rulings, which would impact New Hampshire.

6 Repeal. RSA 77-A:1, X(g), relative to a reference to the Internal Revenue Code, is repealed.

7 Effective Date.

I. Section 4 of this act shall take effect January 1, 2017.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill updates the effective version of the United States Internal Revenue Code of 1986 applicable to the business profits tax, subject to certain adjustments. The bill also requires the commissioner of revenue administration to report annually on changes to the Internal Revenue Code.

**SB 342-FN**, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. This bill corrects a flaw in our tax statutes. NH taxes partnerships, sub-chapter S corporations and LLCs differently than does the federal government and the vast majority of states. The federal government and most states treat all net income or loss from one of these three entities as a pass through on the owner's personal tax returns. Since NH does not have a personal income tax, NH taxes the entity with both the Business Enterprise Tax (BET) and Business Profit Tax (BPT). When the interest in one of these types of organizations is sold for more than the owner's basis, NH imposes BPT on the business organization, for the difference between the sales price and the seller's basis. In return the business organization gets to increase the basis of its assets in an amount equal to the purchase price less the previous owner's basis. This is referred to as a step-up in basis. The Business Tax Commission had identified this situation as a flaw that hurts NH's competitiveness and significantly disadvantages small businesses, especially start-up businesses. This bill fixes this flaw in current statute. The bill approved by and sent over by the Senate eliminated the tax on the business entity. This bill was amended to give the business entity the choice between not paying the tax and therefore not getting the step-up in basis or paying the tax and getting the step-up in basis. This amendment provides the needed flexibility for NH businesses. Vote 15-0.

### Amendment (1308h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the sale or exchange of an interest in a business organization under the business profits tax.

Amend the bill by replacing all after the enacting clause with the following:

1 Sale or Exchange of an Interest in a Business Organization. RSA 77-A:4, XIV is repealed and reenacted to read as follows:

XIV.(a) In the case of a business organization where an ownership interest in the business organization is sold or exchanged and the transaction, for federal income tax purposes results in an increase in the basis of the assets for one or more of the parties to the transaction, the business organization shall:

(1) Add to the gross business profits of the business organization, for each taxable period, an amount equal to the annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and

(2) Calculate the gain or loss on the sale or other disposition of an asset without regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.

(b) A business organization may, for a particular sale or exchange, make an irrevocable election on a timely filed return including any extension period, to recognize the basis increase of the assets for one or more of the parties to the transaction for federal income tax purposes. Such business organization for the purposes of the business profits tax shall:

(1) Be required to make an addition to gross business profits of the business organization equal to the net increase in the basis of all assets transferred or sold in the tax period in which the sale or exchange of the ownership interest occurs;

(2) Be allowed a deduction against its gross business profits for annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and

(3) Calculate the gain or loss on the sale or other disposition of an asset with regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.

2 Applicability. This act shall take effect for sales or exchanges of interests in business organizations that occur on and after January 1, 2016.

3 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill limits the inclusion in the business profits tax of the net increase due to certain sales or exchanges of an interest or beneficial interest in a business organization.

**SB 440-FN**, repealing the repeal of certain fees in the shoreland protection act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bill Ohm for Ways and Means. Funding for this program is due to expire July 1, 2016. The committee feels the program deserves to be extended for another 3 years, after which the amount in the dedicated fund can be reviewed and the fee can be re-evaluated. The Senate bill eliminated the expiration date while the committee amendment simply changes the expiration date to July 1, 2019. Vote 19-0.

#### Amendment (1564h)

Amend the title of the bill by replacing it with the following:

AN ACT extending the date of the repeal of certain fees in the shoreland protection act.

Amend the bill by replacing section 1 with the following:

1 Shoreland Protection Act; Fees; Repeal; Effective Date. Amend 2008, 5:28, II as amended by 2011, 224:408 to read as follows:

II. Section 27 of this act shall take effect July 1, ~~2016~~ 2019.

#### AMENDED ANALYSIS

This bill extends the date of the repeal of certain fees in the shoreland protection act.

**SB 494-FN-A**, limiting an exemption from the road toll. **OUGHT TO PASS.**

Rep. Robert Nigrello for Ways and Means. The bill eliminates the exemption for federal vehicles from the New Hampshire road toll. The bill maintains the federal military vehicle exemption. The committee agrees that all vehicles using our state roads should contribute to the maintenance of the roads. Vote 19-0.

**SB 510-FN**, relative to parking at state park parking meters. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. The State Park License Plate was enacted in 2010 under RSA 261:75-c for the purpose of benefiting the state park system. Currently the park plate provides access to day use areas, but not for parking at meters. The intent of this bill is to allow for vehicles displaying this type of plate at metered seacoast parking facilities up to 6 hours of continuous free use during the off-season when it would not affect overall revenues to the park system. This legislation was reviewed and supported by the State Parks System Advisory Council. This is seen as an incentive to increase plate sales with no impact on metered parking revenue because, unlike the summer season, the parking lots are seldom full during the off-season dates prescribed in the bill. The increase in State Park Plate purchases would help support the operation of the entire park system, providing a steady revenue stream especially when revenue is impacted by weather. In addition, this legislation would allow the Division of Parks and Recreation of the Department of Resources and Economic Development to increase the fees at the meters during holidays and weekends. This is consistent with statutory direction under RSA 216-A: 3-g that provides the agency the ability to maximize revenues and to adjust fees according to market conditions as is the common practice in private industry with the approval of the Joint Fiscal Committee. Vote 18-0.

**SB 521-FN**, relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems. **OUGHT TO PASS.**

Rep. Mary Cooney for Ways and Means. This bill was passed by the Transportation Committee and came to the Ways and Means Committee for evaluation of the fees. It was developed by a study committee (SB 173 Chapter 34:1, Laws of 2015) to mirror the fees imposed upon snowmobile owners. The purpose is to collect fees in order to fund the maintenance of trails for OHRV (off highway recreation vehicle) use. The effective date for collection is May 1, 2017 with FY 2018 being the first year of revenue impact. This will give the NHOHVA (New Hampshire Off Highway Vehicle Association) enough time to raise funds for the electronic registration system needed to complement the system. As with the snowmobile association, this will allow those who do not wish to join a club to still contribute to trail maintenance. In addition, there is a provision for the Executive Director of the Fish and Game Department, in conjunction with NHOHVA, to look at other issues that may arise, such as one time use for extracting a deer taken during hunting season. A report to the legislature by December 1, 2017 is required. Vote 17-1.

### REGULAR CALENDAR

**SB 506**, clarifying who may adopt. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for the Majority of Children and Family Law. This bill as amended expands the family arrangements which may be created by adoption. First, it recognizes the same sex marriages the legislature created in 2008. Second, it accepts those families who chose not to have a state sanctioned marriage. Third, it accepts family members who are acting to protect minors who have lost their parents. But it maintains the historical position that a child thrives best in intact families. Vote 7-4.

Rep. Martha Hennessey for the Minority of Children and Family Law. As originally written, this bill encouraged broad petitions for adoption while the amendment makes limits based on undefined terms, such as "familial." This bill was designed to encourage petitions for adoption and not to limit.

### Majority Amendment (1771h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to adoption.

Amend the bill by replacing all after the enacting clause with the following:

1 Adoption; Who May Adopt. Amend RSA 170-B:4, I to read as follows:

I. ~~[Husband and wife together]~~ **A married couple.**

2 New Paragraphs; Adoption; Who May Adopt. Amend RSA 170-B:4 by inserting after paragraph VI the following new paragraphs:

V. Two unmarried adults in a familial relationship. In this paragraph, a familial relationship shall be determined by considering all relevant circumstances of the petitioners, including, but not limited to:

(a) The sharing of a common residence.

(b) Economic interdependence, such as jointly owning or renting a home.

(c) A shared commitment to parenting duties and responsibilities.

VI. Any 2 family members.

3 Effective Date. This act shall take effect January 1, 2017.

### AMENDED ANALYSIS

This bill permits a married couple, 2 unmarried adults in a familial relationship, or any 2 family members to adopt.

Rep. Martha Hennessey spoke against.

Rep. Itse spoke in favor.

On a division vote, with 150 members having voted in the affirmative, and 137 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Porter requested a roll call; sufficiently seconded.

**YEAS 151 NAYS 193****YEAS - 151****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Varney, Peter

Dumais, Russell  
Hurt, George

Tilton, Franklin  
Sylvia, Michael

Flanders, Donald  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
McConnell, James

Tilton, Benjamin  
Sterling, Franklin

Emerson, Susan

Hunt, John

**COOS**

Fothergill, John

Richardson, Herbert

Tholl, John

**GRAFTON**

Bailey, Brad  
Ladd, Rick

Darrow, Stephen

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Coffey, James  
Estevez, Eric  
Gargas, Carolyn  
Hopper, Gary  
Kurk, Neal  
McLean, Mark  
Peterson, Ken  
Rouillard, Claire  
Simmons, Tammy  
Sullivan, Victoria

Ammon, Keith  
Bouldin, Amanda  
Danielson, David  
Flanagan, Jack  
Haefner, Robert  
Infantine, William  
Ober, Lynne  
Murotake, David  
Pierce, David  
Rowe, Robert  
Souza, Kathleen  
Wolf, Terry

Griffin, Barbara  
Burt, John  
Donovan, Daniel  
Fromuth, Bart  
Hansen, Peter  
Belanger, James  
Lachance, Joseph  
Murphy, Keith  
Proulx, Mark  
Schleien, Eric  
Straight, Phillip  
Zaricki, Nick

Balcom, John  
Christensen, Chris  
Edwards, Elizabeth  
Smith, Gregory  
Hinch, Richard  
Rice, Kimberly  
Martel, Andre  
Pellegrino, Anthony  
Ober, Russell  
Scontsas, Lisa  
Takesian, Charlene

**MERRIMACK**

McGuire, Dan  
Kotowski, Frank

Hoell, J.R.  
Kuch, Bill

Horn, Werner  
Martin, John

Kidder, David  
Seaworth, Brian

**ROCKINGHAM**

Christie, Andrew  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Friel, William  
Introne, Robert  
Katsakiores, Phyllis  
Manning, John  
Milz, David  
Packard, Sherman  
Gordon, Richard  
Sytek, John  
Weyler, Kenneth

Abrami, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Chase, Francis  
Green, Dennis  
Itse, Daniel  
Kolodziej, Walter  
Matthews, Carolyn  
Nigrello, Robert  
Peckham, Michele  
Tilton, Rio  
Vose, Michael

Abramson, Max  
Cook, Allen  
Devine, James  
Rice, Frederick  
Guthrie, Joseph  
Sweeney, Joe  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Potucek, John  
Schroadter, Adam  
Webb, James

Barnes, Arthur  
Thomas, Douglas  
Doucette, Fred  
Fesh, Robert  
Hoelzel, Kathleen  
Ward, Joanne  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Sherman, Thomas  
Welch, David

**STRAFFORD**

Berube, Roger  
Gray, James  
Pitre, Joseph

Bickford, David  
Hannon, Joseph  
Whitehouse, Joshua

Cheney, Catherine  
Jones, Laura

Graham, Robert  
Kaczynski, Thomas



**SULLIVAN**

Schmidt, Andrew	Grenier, James	O'Hearne, Andrew	Rollins, Skip
Smith, Steven			

**NAYS - 193  
BELKNAP**

Fields, Dennis	Howard, Raymond	LeBreche, Shari	Spanos, Peter
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**CARROLL**

Buco, Thomas	Butler, Edward	Cordelli, Glenn	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Roberts, Kris	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Weber, Lucy	

**COOS**

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rideout, Leon
Theberge, Robert	Thomas, Yvonne		

**GRAFTON**

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Brown, Duane	Hennessey, Erin	Ford, Susan	Higgins, Patricia
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Boehm, Ralph	Byron, Frank
Roberts, Carol	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Edelblut, Frank	Ferreira, Elizabeth	Forest, Armand
Freitas, Mary	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Gould, Linda	Goulette, William	Guerette, C. Lee
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hogan, Edith
Jack, Martin	LeBrun, Donald	Leishman, Peter	O'Brien, Michael
Mangipudi, Latha	Manley, Jonathan	Marston, Dick	McClarren, Donald
McNamara, Richard	Notter, Jeanine	O'Neil, William	Ohm, Bill
Brown, Pamela	Long, Patrick	Palmer, Barry	Porter, Marjorie
Christie, Rick	Walsh, Robert	Rosenwald, Cindy	Sanborn, Laurie
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Soucy, Timothy	Stepanek, Stephen	Smith, Timothy	Twombly, Timothy
Ulery, Jordan	Vann, Ivy	O'Brien, William	Williams, Kermit
Woodbury, David			

**MERRIMACK**

Turcotte, Alan	French, Barbara	Bartlett, Christy	Bradley, Paula
Brewster, Michael	McGuire, Carol	Rice, Chip	Carson, Clyde
Long, Douglas	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	French, Harold	Henle, Paul	Hill, Gregory
Frazer, June	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Marple, Richard	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Walsh, Thomas	Wallner, Mary Jane
Wheeler, Deborah			

**ROCKINGHAM**

Baldasaro, Alfred	Bates, David	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie
Duarte, Joe	Edgar, Michael	Elliott, Robert	Ferrante, Beverly
Francesse, Paula	Ward, Gerald	Gannon, William	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Kappler, Lawrence	Lovejoy, Patricia
Lundgren, David	Gordon, Pamela	Pantelakos, Laura	Simpson, Alexis
Spillane, James	True, Chris		

**STRAFFORD**

Baber, William	Beaudoin, Steven	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DeLemus, Susan	DiSesa, Len	Gardner, Janice
Horrigan, Timothy	Ward, Kenneth	Kaen, Naida	Knowles, Robert
Turcotte, Leonard	Leeman, Don	Smith, Marjorie	Schmidt, Peter
Rollo, Deanna	Southworth, Thomas	Spang, Judith	Sprague, Dale
Treleaven, Susan	Verschueren, James	Wall, Janet	Wuelper, Kurt

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Laware, Thomas	Oxenham, Lee	

and the majority committee report failed.

Rep. Long moved the minority committee report of Inexpedient to Legislate.

Minority committee report adopted.

**SB 537**, relative to record management of abuse and neglect reports. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Skip Berrien for the Majority of Children and Family Law. This bill extends the length of time that the Division of Children, Youth and Families retains child protection records in order that subsequent investigations can be more complete. Reported cases which are not investigated will be retained for 7 years. Investigated cases which are not substantiated will be retained for 10 years. Substantiated cases will be retained indefinitely. These extended record retentions will identify patterns of potential maltreatment which are important for protection against further abuse or neglect. Vote 11-3.

Rep. Daniel Itse for the Minority of Children and Family Law. This bill increases the records retention time for abuse and neglect cases. It increases screened-out cases from 1 to 7 years, unfounded cases from 3 to 10 years, and founded cases from 7 years to forever. This bill reverses the act of the legislature in 2002, introduced by then-Senator Gordon, which continued the then-existing limits on unfounded and founded cases and established limits on screened-out cases. The minority agrees that the limits ought to be reviewed and with the establishment of triggers to continue retention, but believes this increase in limits to be excessive.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Itse offered floor amendment (1899h).

**Floor Amendment (1899h)**

Amend RSA 169-C:35-a, I and II as inserted by section 2 of the bill by replacing it with the following:

I. The department shall retain a screened-out report for 3 years from the date that the report was screened out. If during the 3-year retention period, the department receives a subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or any siblings or other children in the same household or in the care of the same adults, the department shall retain information from the prior and subsequent reports for an additional 3 years from the date a subsequent report is screened out, an additional 3 years from the date a subsequent report is deemed unfounded, and indefinitely if the subsequent report is deemed founded. The department shall delete or destroy all electronic and paper records of the reports when the retention period for the most recent report expires.

II. The department shall retain an unfounded report for 5 years from the date that the department determined the case to be unfounded. If during the 5-year retention period, the department receives a subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or any siblings or other children in the same household or in the care of the same adults, the department shall retain the information from the prior and subsequent reports for an additional 5

years from the date the subsequent report is screened out or deemed unfounded, or indefinitely if the subsequent report is deemed founded. The department shall delete or destroy all electronic and paper records of the reports when the most recent report expires.

AMENDED ANALYSIS

This bill revises the record retention requirements for founded, unfounded, and screened-out reports of abuse or neglect.

Rep. Itse spoke in favor.

Rep. Berrien spoke against.

On a division vote, with 163 members having voted in the affirmative, and 181 in the negative, floor amendment (1899h) failed.

The question now being adoption of the majority committee report of Ought to Pass.

Rep. Itse spoke against and yielded to questions.

Rep. Spillane spoke against.

Rep. Berrien spoke in favor.

Rep. Potucek requested a roll call; sufficiently seconded.

YEAS 169 NAYS 179

YEAS - 169

BELKNAP

Tilton, Franklin

CARROLL

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

Crawford, Karel

McConkey, Mark

CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara

Bordenet, John  
Hunt, John  
Pearson, William  
Shepardson, Marjorie

COOS

Fothergill, John  
Tholl, John

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard  
Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Bennett, Travis  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Hennessey, Martha  
Piper, Wendy

HILLSBOROUGH

Backus, Robert  
Christensen, Chris  
Cote, David  
Freitas, Mary  
Goley, Jeffrey  
Herbert, Christopher  
LeBrun, Donald  
Manley, Jonathan  
Long, Patrick  
Rosenwald, Cindy  
Snow, Kendall  
Williams, Kermit

Baroody, Benjamin  
Roberts, Carol  
DiSilvestro, Linda  
Smith, Gregory  
Guerette, C. Lee  
Hinch, Richard  
Leishman, Peter  
McNamara, Richard  
Palmer, Barry  
Schleien, Eric  
Soucy, Timothy  
Wolf, Terry

Barry, Richard  
Cohen, Alan  
Edwards, Elizabeth  
Gargas, Carolyn  
Harvey, Suzanne  
Jack, Martin  
O'Brien, Michael  
O'Neil, William  
Porter, Marjorie  
Shattuck, Gilman  
Smith, Timothy  
Woodbury, David

Biggie, Barbara  
Cornell, Patricia  
Forest, Armand  
Gidge, Kenneth  
Heath, Mary  
Ober, Lynne  
Mangipudi, Latha  
Brown, Pamela  
Walsh, Robert  
Shaw, Barbara  
Vann, Ivy

**MERRIMACK**

French, Barbara	Bartlett, Christy	Bradley, Paula	Rice, Chip
Carson, Clyde	Long, Douglas	Deloge, Helen	Doherty, David
Gile, Mary	Henle, Paul	Frazer, June	Karrick, David
Kenison, Linda	Kotowski, Frank	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane
Wheeler, Deborah			

**ROCKINGHAM**

Christie, Andrew	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DeSimone, Debra	Devine, James
DiFranco, Debbie	Edgar, Michael	Elliott, Robert	Francesse, Paula
Friel, William	Ward, Gerald	Heffron, Frank	Lovejoy, Patricia
Matthews, Carolyn	Milz, David	Gordon, Pamela	Pantelakos, Laura
Prudhomme-O'Brien, Katherine	Sherman, Thomas	Simpson, Alexis	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Ward, Kenneth	Kaen, Naida	Smith, Marjorie
Schmidt, Peter	Rollo, Deanna	Southworth, Thomas	Spang, Judith
Sprague, Dale	Treleaven, Susan	Verschueren, James	Wall, Janet

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee

**NAYS - 179****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Howard, Raymond	Hurt, George	LeBreche, Shari
Spanos, Peter	Sylvia, Michael	Fraser, Valerie	Varney, Peter

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Nelson, Bill	Parker, Harold	Schmidt, Stephen	

**CHESHIRE**

Tilton, Benjamin	Roberts, Kris	McConnell, James	Sterling, Franklin
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**COOS**

Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Johnson, Eric
Gionet, Edmond	Hull, Robert	Ingretson, Paul	Ladd, Rick
White, Andrew			

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Balcom, John
Boehm, Ralph	Bouldin, Amanda	Burt, John	Byron, Frank
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gorman, Mary	Gould, Linda
Goulette, William	Haefner, Robert	Hansen, Peter	Hogan, Edith
Hopper, Gary	Infantine, William	Belanger, James	Rice, Kimberly

Christiansen, Lars  
McClarren, Donald  
Notter, Jeanine  
Peterson, Ken  
Ober, Russell  
Scontsas, Lisa  
Stepanek, Stephen  
Ulery, Jordan

Lachance, Joseph  
McLean, Mark  
Ohm, Bill  
Pierce, David  
Rouillard, Claire  
Seidel, Carl  
Straight, Phillip  
Sullivan, Victoria

Marston, Dick  
Murotake, David  
Parison, James  
Proulx, Mark  
Rowe, Robert  
Simmons, Tammy  
Takesian, Charlene  
O'Brien, William

Martel, Andre  
Murphy, Keith  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Souza, Kathleen  
Twombly, Timothy  
Zaricki, Nick

### MERRIMACK

Turcotte, Alan  
Ebel, Karen  
Hom, Werner  
Martin, John

Brewster, Michael  
French, Harold  
Kidder, David  
Patten, Dick

McGuire, Carol  
Hill, Gregory  
Kuch, Bill  
Seaworth, Brian

McGuire, Dan  
Hoell, J.R.  
Marple, Richard  
Walsh, Thomas

### ROCKINGHAM

Abrami, Patrick  
Bates, David  
Thomas, Douglas  
Emerick, J. Tracy  
Fesh, Robert  
Harris, Jeffrey  
Sweeney, Joe  
Kolodziej, Walter  
Manning, John  
O'Connor, John  
Potucek, John  
Spillane, James  
Webb, James

Abramson, Max  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Chase, Francis  
Gannon, William  
Hodgdon, Bruce  
Ward, Joanne  
Lundgren, David  
McBeath, Rebecca  
Osborne, Jason  
Gordon, Richard  
Sytek, John  
Weyler, Kenneth

Baldasaro, Alfred  
Chirichiello, Brian  
Doucette, Fred  
Rice, Frederick  
Green, Dennis  
Introne, Robert  
Kappler, Lawrence  
Griffin, Mary  
McMahon, Charles  
Packard, Sherman  
Tilton, Rio  
True, Chris

Barnes, Arthur  
Cook, Allen  
Duarte, Joe  
Ferrante, Beverly  
Guthrie, Joseph  
Itse, Daniel  
Katsakiores, Phyllis  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Vose, Michael

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Kaczynski, Thomas  
Pitre, Joseph

Bickford, David  
Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

Cheney, Catherine  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

DeLemus, Susan  
Jones, Laura  
Leeman, Don

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report failed.

Rep. Itse moved the minority committee report of Inexpedient to Legislate.

On a division vote, with 201 members having voted in the affirmative, and 148 in the negative, the minority committee report was adopted.

**SB 411**, relative to the merger of lots that are mortgaged. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for the Majority of Commerce and Consumer Affairs. This bill changes the procedure for the voluntary merger of land parcels. It limits the ability to merge the parcels if mortgages are involved. The merger cannot take place if there are multiple different mortgages on the parcels, and consent must be obtained from the mortgage holder if the merger is otherwise permitted. The committee added a change to the statute for the reversal of prior involuntary mergers. We removed the sunset date for requesting the reversal of such a mortgage, which will be allowed as long as the merger was not recorded by deed with the Registry of Deeds. Vote 18-2.

Rep. Laurie Sanborn for the Minority of Commerce and Consumer Affairs. Both the original bill and the bill as amended require property owners to obtain written permission from mortgage holder(s) when they want to merge contiguous lots if they have a lien on one of the properties, even if the landowner owns the other property outright. In doing so, this bill reduces property owners' rights and gives more power to banks and planning boards. Current law allows you to apply for a voluntary

merger and have it approved without attempting to get bank permission. Banks are hard to reach, mortgage holders can change frequently, and we heard testimony that 99% of them will never approve such a merger. The minority felt that there was no clear and compelling need presented to demonstrate why passage of this bill was needed at this time.

### Majority Amendment (1806h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the merger of lots.

Amend RSA 674:39-a, II as inserted by section 1 of the bill by replacing it with the following:

***II. No merger shall be allowed if there are mortgages on more than one of the separate lots proposed to be merged and such mortgages are held by different mortgage holders. If a merger is allowed, the written consent of each holder of a mortgage shall be required as a condition to the approval of the merger. If the merger is approved, then the mortgage or mortgages shall be deemed by operation of law to apply to all lots involved in the merger. The consent of each mortgage holder shall be required to be recorded with notice of the merger pursuant to paragraph I. The municipality shall not be liable for any deficiency in the notice to mortgage holders.***

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Restoration of Involuntarily Merged Lots. Amend RSA 674:39-aa, II(a) to read as follows:

(a) ~~[The request is submitted to the governing body prior to December 31, 2016]~~ ***The merger was not recorded by deed with the register of deeds.***

### AMENDED ANALYSIS

This bill requires that mortgage holders approve the voluntary merger of lots and prohibits merger if there are mortgages on multiple lots and the mortgages are held by different persons. This bill also provides that requests for restoration of lots that were involuntarily merged are limited to mergers not recorded by deed filed with the register of deeds.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**SB 532-FN**, relative to prior authorization for substance abuse treatment. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for the Majority of Commerce and Consumer Affairs. A bipartisan majority of the committee believes that this bill will make very significant pro-patient improvements to NH's laws regarding prior authorization for inpatient substance use treatment, and will dramatically expedite the approval of effective treatment that is most likely to lead to recovery. It also reflects a very fair compromise reached by the stakeholders and substantial concessions by the insurance carriers. First, the bill defines "clinical stabilization services" and "short-term inpatient withdrawal management." Furthermore, for those carriers that require prior authorization for inpatient substance use disorder services, this bill requires each carrier to either a) grant to the patient 24 hours of inpatient care without prior authorization while the patient's provider and carrier determine an appropriate care plan, or b) have a 24/7/365 hotline that the patient's treating clinician can call to get a medical necessity determination and the carrier's assistance with patient placement. Under this second option, the carrier must provide a prior authorization decision as soon as practicable, but no more than 6 hours after receiving the treating clinician's clinical rationale consistent with the American Society of Addiction Medicine (ASAM) criteria adopted per SB 576 which was adopted earlier this session. These new requirements for carriers will provide significant benefits to NH residents in need of prompt admission for inpatient substance use treatment. These requirements do not exist in current law today and directly address concerns that have been raised. The 6-hour turn around is also a very significant concession made by the carriers, and is even lower than the 12-hour turn around in the Senate-passed version of this bill. While most prior authorization requests are currently granted immediately, current NH law allows for up to a 72-hour turnaround time and up to a 24-hour turn around time in emergent situations. Thus, this bill now cuts the statutory prior authorization turn around time down by as much as 75%-92%. Importantly, this bill does not include a new mandate sought by a minority of the committee that would require carriers to pay for inappropriate and inef-

fective services delivered to the patient during the turn around period. However, the majority of the committee strongly believes that if the prior authorization request is not granted due to the requested treatment being inconsistent with ASAM criteria, then there should not be a new mandate for carriers to pay for inappropriate services. The legislature should not be passing new mandates that create perverse incentives and unintended consequences, including rewarding providers who fail to appropriately apply the nationally-accepted standard of ASAM criteria, putting upward pressure on insurance premiums by requiring carriers to pay for inappropriate treatment, exacerbating the treatment capacity shortages that already exist in NH's substance use disorder inpatient care system, and undermining the critical role that prior authorization plays in ensuring patient safety and managing health care costs. The committee thoroughly vetted this type of new mandate, and the majority of the committee soundly rejected it. This bill as amended by the majority will provide significant improvements and many important benefits to NH residents who are in need of substance use treatment. Vote 13-7.

Rep. Joseph Hannon for the Minority of Commerce and Consumer Affairs. The committee debate on this bill centered on a single word change; which, in the opinion of the minority, had the unfortunate result of completely undercutting the purpose of this bill. The majority agreed to a request from the insurance carriers to change the word on lines 13-14 on page 2, from "until" to "after." In short, this change has the result of forcing individuals in need of acute substance use disorder treatment to wait for up to 6 hours for health insurance carrier approval to access clinically appropriate services. The minority believes this change must be undone. The committee heard testimony from numerous stakeholders that, when an individual is at the point of agreeing to seek help for their addiction, the window of opportunity is often short - sometimes lasting less than 45 minutes. It is important to reiterate that the purpose of this bill is to ensure that individuals have immediate preliminary access to services, so clinically appropriate treatment can be obtained without delay. Furthermore, this bill requires treating clinicians to make medical necessity determinations using American Society of Addiction Medicine criteria before services can be rendered. The majority's argument that these criteria can be interpreted differently by different providers and, therefore, the carrier must have the ability to review medical necessity through a prior authorization is well taken, but falls short. When reviewing opioid claims for substance use disorder treatment services from 2014 to 2015, the New Hampshire Insurance Department found that of 11,650 total claims, the carrier's specialist agreed with the treating provider's assessment 99.54% of the time, or in 11,596 of those cases. The majority would have you believe that the carrier's interest in preventing 56 cases of disagreement on treatment criteria is more valuable than providing immediate access to critically necessary services for more than 11,600 people. Given the overwhelming rate at which the carriers ultimately agree with the treating clinician's assessment, it is clear to the minority that requiring prior authorization for these services is an artificial, and unnecessary, barrier to treatment. The immediacy of serving this population, given the risk of overdose and death, should not be overlooked. New Hampshire is facing an epidemic, and providing for immediate access to services is one important way to stem the tide of overdose deaths. As one father said, "a carrier's lost opportunity to manage care is nothing compared to a parent's loss of a child." Changing back the word "after" to "until" would remove a critical barrier to treatment, permitting immediate access to critical services for tens of thousands suffering in New Hampshire. This change is simply good policy.

### **Majority Amendment (1778h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to prior authorization for substance use treatment.

Amend the bill by replacing all after the enacting clause with the following:

1 Substance Use Disorders; Definitions. Amend RSA 420-J:15 to read as follows:

420-J:15 Definitions. In this subdivision:

I. "ASAM criteria" means the latest edition of the Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions, developed by the American Society of Addiction Medicine.

II. "*Clinical stabilization services*" means 24-hour clinically managed post-withdrawal management treatment for adults or adolescents which may include intensive education and counseling regarding the nature of addiction and its consequences, relapse prevention, outreach to families and significant others, and after-care planning, for individuals beginning to engage in recovery from addiction.

**III. “Short-term inpatient withdrawal management” means 24-hour medically supervised addiction treatment for adults or adolescents provided in medically-managed or medically-monitored inpatient facilities that provide evaluation and withdrawal management and which may include biopsychosocial assessment, individual and group counseling, psychological educational groups, and discharge planning.**

**IV. “Substance use disorder services” means health care services that are provided to a covered person as treatment for an addictive substance-related condition, not including treatment for any condition related to tobacco use.**

2 Substance Use Disorders; Prior Authorization. Amend RSA 420-J:17 to read as follows:  
420-J:17 Prior Authorization.

**I. Whenever substance use disorder services are a covered benefit under a health benefit plan subject to this chapter, no prior authorization shall be required for the first 2 routine outpatient visits of an episode of care by an individual for assessment and care with respect to a substance use disorder.**

**II. Whenever substance use disorder services are a covered benefit under a health benefit plan subject to this chapter, no prior authorization shall be required for short-term inpatient withdrawal management and clinical stabilization services for up to 24 hours, when prescribed by a clinician trained in the use and application of the ASAM criteria; provided, that the facility notifies the patient’s health carrier as soon as practicable after admission of the patient. If the facility fails to notify the patient’s health carrier as soon as practicable after admission of the patient, the facility shall be financially responsible for the costs of any services provided by the facility to the patient.**

**III. Alternatively, a carrier may require prior authorization for the services described in paragraph II, but only if the carrier has a medical clinician or licensed alcohol and drug counselor available on a 24-hour hotline to make the medical necessity determination and assist with placement at the appropriate level of care, and the carrier provides a prior authorization decision as soon as practicable after receipt from the treating clinician of the clinical rationale consistent with the ASAM criteria, but in no event more than 6 hours of receiving such information; provided that after such hotline determination is made, coverage for substance use disorder services shall be provided at an appropriate level of care consistent with the ASAM criteria, as defined in RSA 420-J:15, I.**

**IV. If an insurance policy does not require prior authorization for short-term inpatient withdrawal management services or clinical stabilization services, paragraphs II and III shall not apply.**

**V. Nothing in this section shall be construed to require coverage for services provided by a non-participating provider.**

3 Effective Date. This act shall take effect January 1, 2017.

#### AMENDED ANALYSIS

This bill clarifies prior authorization requirements under the managed care law for substance use services.

On a division vote, with 274 members having voted in the affirmative, and 66 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hannon offered floor amendment (1920h).

#### Floor Amendment (1920h)

Amend RSA 420-J:17, III as inserted by section 2 of the bill by replacing it with the following:

**III. Alternatively, a carrier may require prior authorization for the services described in paragraph II, but only if the carrier has a medical clinician or licensed alcohol and drug counselor available on a 24-hour hotline to make the medical necessity determination and assist with placement at the appropriate level of care, and the carrier provides a prior authorization decision as soon as practicable after receipt from the treating clinician of the clinical rationale consistent with the ASAM criteria, but in no event more than 6 hours of receiving such information; provided that until such hotline determination is made, coverage for substance use disorder services shall be provided at an appropriate level of care consistent with the ASAM criteria, as defined in RSA 420-J:15, I.**

Rep. Hannon spoke in favor.

Rep. Hunt spoke against.

Rep. Butler spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.



**YEAS 210 NAYS 139****YEAS - 210****BELKNAP**

Aldrich, Glen

Tilton, Franklin

Fisher, Robert

Gallagher, Brian

**CARROLL**

Avellani, Lino

Bucu, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Pearson, William  
Weber, LucyAmes, Richard  
Eaton, Daniel  
Mann, John  
Phillips, LarryTilton, Benjamin  
Emerson, Susan  
McConnell, James  
Sad, TaraBerch, Paul  
Roberts, Kris  
Parkhurst, Henry  
Shepardson, Marjorie**COOS**Fothergill, John  
Theberge, RobertFroburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**Abel, Richard  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Townsend, CharlesAlmy, Susan  
Hennessey, Erin  
Hull, Robert  
Nordgren, Sharon  
White, AndrewBailey, Brad  
Ford, Susan  
Hennessey, Martha  
Smith, SuzanneBennett, Travis  
Gionet, Edmond  
Maes, Kevin  
Sykes, George**HILLSBOROUGH**Adams, Christopher  
Bouldin, Amanda  
Cote, David  
Eastman, Eric  
Freitas, Mary  
Gorman, Mary  
Heath, Mary  
Jack, Martin  
O'Brien, Michael  
McClarren, Donald  
Notter, Jeanine  
Parison, James  
Walsh, Robert  
Scoutsas, Lisa  
Snow, Kendall  
Vann, Ivy  
Zaricki, NickBackus, Robert  
Roberts, Carol  
Danielson, David  
Edwards, Elizabeth  
Smith, Gregory  
Goulette, William  
Herbert, Christopher  
Rice, Kimberly  
Mangipudi, Latha  
McNamara, Richard  
O'Neil, William  
Pierce, David  
Rosenwald, Cindy  
Shattuck, Gilman  
Soucy, Timothy  
Williams, KermitBalcom, John  
Cohen, Alan  
DiSilvestro, Linda  
Estevez, Eric  
Gidge, Kenneth  
Guerette, C. Lee  
Hogan, Edith  
Christiansen, Lars  
Manley, Jonathan  
Murotake, David  
Brown, Pamela  
Porter, Marjorie  
Rouillard, Claire  
Shaw, Barbara  
Smith, Timothy  
Wolf, TerryBaroody, Benjamin  
Cornell, Patricia  
Donovan, Daniel  
Forest, Armand  
Goley, Jeffrey  
Harvey, Suzanne  
Hopper, Gary  
Lachance, Joseph  
Marston, Dick  
Murphy, Keith  
Long, Patrick  
Proulx, Mark  
Schleien, Eric  
Simmons, Tammy  
Takesian, Charlene  
Woodbury, David**MERRIMACK**Turcotte, Alan  
Brewster, Michael  
Doherty, David  
Hill, Gregory  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Shurtleff, StephenFrench, Barbara  
Rice, Chip  
Ebel, Karen  
Horn, Werner  
Luneau, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary JaneBartlett, Christy  
Carson, Clyde  
Gile, Mary  
Frazer, June  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wheeler, DeborahBradley, Paula  
Deloge, Helen  
Henle, Paul  
Karrick, David  
Martin, John  
Ratzki, Mario  
Seaworth, Brian

**ROCKINGHAM**

Abramson, Max  
Cali-Pitts, Jacqueline  
Doucette, Fred  
Francese, Paula  
Sweeney, Joe  
McBeath, Rebecca  
Schroadter, Adam  
True, Chris

Berrien, Skip  
Cook, Allen  
Duarte, Joe  
Ward, Gerald  
Ward, Joanne  
Gordon, Pamela  
Sherman, Thomas  
Vose, Michael

Borden, David  
Cushing, Robert  
Edgar, Michael  
Guthrie, Joseph  
Lovejoy, Patricia  
Pantelakos, Laura  
Simpson, Alexis

Cahill, Michael  
DiFranco, Debbie  
Rice, Frederick  
Heffron, Frank  
Griffin, Mary  
Prudhomme-O'Brien, Katherine  
Spillane, James

**STRAFFORD**

Baber, William  
Bixby, Peter  
Graham, Robert  
Jones, Laura  
Smith, Marjorie  
Spang, Judith  
Wall, Janet

Beaudoin, Steven  
Burton, Wayne  
Groen, Warren  
Ward, Kenneth  
Schmidt, Peter  
Sprague, Dale  
Whitehouse, Joshua

Berube, Roger  
Cilley, Jacalyn  
Hannon, Joseph  
Kaczynski, Thomas  
Rollo, Deanna  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Horrigan, Timothy  
Knowles, Robert  
Southworth, Thomas  
Verschuereen, James

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
O'Hearne, Andrew

**NAYS - 139****BELKNAP**

Dumais, Russell  
Hurt, George  
Fraser, Valerie

Fields, Dennis  
LeBreche, Shari  
Varney, Peter

Flanders, Donald  
Spanos, Peter

Howard, Raymond  
Sylvia, Michael

**CARROLL**

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Bordenet, John  
Tatro, Bruce

Hunt, John

Robertson, Timothy

Sterling, Franklin

**COOS**

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Brown, Duane  
Ladd, Rick

Darrow, Stephen  
Piper, Wendy

Johnson, Eric

Ingbretson, Paul

**HILLSBOROUGH**

Ammon, Keith  
Boehm, Ralph  
Coffey, James  
Fromuth, Bart  
Haefner, Robert  
Belanger, James  
Leishman, Peter  
Palmer, Barry  
Ober, Russell  
Souza, Kathleen  
Sullivan, Victoria

Griffin, Barbara  
Burt, John  
Edelblut, Frank  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
Martel, Andre  
Pellegrino, Anthony  
Rowe, Robert  
Stepanek, Stephen  
O'Brien, William

Barry, Richard  
Byron, Frank  
Ferreira, Elizabeth  
Gargas, Carolyn  
Hinch, Richard  
Ober, Lynne  
McLean, Mark  
Peterson, Ken  
Sanborn, Laurie  
Straight, Phillip

Biggie, Barbara  
Christensen, Chris  
Flanagan, Jack  
Gould, Linda  
Infantine, William  
LeBrun, Donald  
Ohm, Bill  
Christie, Rick  
Seidel, Carl  
Ulery, Jordan

**MERRIMACK**

McGuire, Carol  
Hess, David  
Kuch, Bill

Long, Douglas  
Hoell, J.R.  
Marple, Richard

McGuire, Dan  
Kidder, David  
Walsh, Thomas

French, Harold  
Kotowski, Frank

**ROCKINGHAM**

Abrami, Patrick  
Cardon, G. Thomas  
Devine, James  
Ferrante, Beverly  
Green, Dennis  
Introne, Robert  
Lundgren, David  
McMahon, Charles  
Osborne, Jason  
Gordon, Richard  
Weyler, Kenneth

Baldasaro, Alfred  
Chirichiello, Brian  
Elliott, Robert  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
Major, Norman  
Milz, David  
Packard, Sherman  
Tilton, Rio

Barnes, Arthur  
Thomas, Douglas  
Emerick, J. Tracy  
Friel, William  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Manning, John  
Nigrello, Robert  
Peckham, Michele  
Sytek, John

Bates, David  
DeSimone, Debra  
Chase, Francis  
Gannon, William  
Hoelzel, Kathleen  
Kolodziej, Walter  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Webb, James

**STRAFFORD**

Cheney, Catherine  
Kaen, Naida  
Wuelper, Kurt

DeLemus, Susan  
Turcotte, Leonard

Gardner, Janice  
Leeman, Don

Gray, James  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

and floor amendment (1920h) was adopted.

Majority committee report adopted and ordered to third reading.

The House recessed at 12:10 p.m.

**RECESS**

The House reconvened at 1:30 p.m.

**(Speaker Jasper in the Chair)****ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 231, 601, 1121, 1124, 1130, 1154, 1164, 1175, 1195, 1202, 1223, 1226, 1239, 1292, 1329, 1340, 1352, 1372, 1378, 1409, 1410, 1450, 1451, 1459, 1467, 1515, 1579, 1587, 1599 and 1655 and Senate Bills numbered 152, 309, 323, 344, 352, 353, 356, 357, 359, 362, 374, 377, 386, 388, 433, 456, 461, 465, 475, 484, 517, 519, 524 and 545.

Rep. Hinch, Sen. Soucy for the Committee

**REGULAR CALENDAR CONT'D**

**SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. **INEXPEDIENT TO LEGISLATE.**

Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill would have removed the term "suitable" from RSA 159:6 which relates to the application to carry deadly weapons concealed upon the person. The bill also would substitute a requirement that the applicant not be prohibited from possessing a firearm. This would mean that an applicant who drinks excessively would be able to carry a firearm concealed on his or her person. The issuing authority would no longer be able to disqualify the town drunk from obtaining a concealed carry license. Currently, if an applicant is denied, he or she has access to the circuit or superior court to prove that he or she is a suitable person to be licensed. This has worked well for almost 100 years. There are thousands of concealed carry licenses issued each year and very few denials. The NH Chiefs of Police testified in opposition to this bill. Vote 11-7. Reps. Hoell and Abramson spoke against.

Rep. Welch spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

**YEAS 156 NAYS 189****YEAS - 156****BELKNAP**

Fields, Dennis

Flanders, Donald

Bucio, Thomas  
Schmidt, StephenButler, Edward  
Ticehurst, Susan**CARROLL**

Crawford, Karel

McConkey, Mark

**CHESHIRE**Abbott, Michael  
Bordenet, John  
Roberts, Kris  
Pearson, William  
Shepardson, MarjorieAmes, Richard  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tatro, BruceTilton, Benjamin  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, LucyBerch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara**COOS**Fothergill, John  
Richardson, HerbertFroburg, Alethea  
Theberge, RobertHatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**Abel, Richard  
Ford, Susan  
Nordgren, Sharon  
Townsend, CharlesAlmy, Susan  
Higgins, Patricia  
Piper, WendyBennett, Travis  
Hennessey, Martha  
Smith, SuzanneCooney, Mary  
Maes, Kevin  
Sykes, George**HILLSBOROUGH**Backus, Robert  
Roberts, Carol  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Manley, Jonathan  
Palmer, Barry  
Rowe, Robert  
Smith, Timothy  
Woodbury, DavidBaroody, Benjamin  
Cohen, Alan  
Gargas, Carolyn  
Hansberry, Daniel  
Christiansen, Lars  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Takesian, CharleneBooras, Efstathia  
Cornell, Patricia  
Gidge, Kenneth  
Harvey, Suzanne  
Leishman, Peter  
Brown, Pamela  
Walsh, Robert  
Snow, Kendall  
Vann, IvyChristensen, Chris  
Donovan, Daniel  
Gorman, Mary  
Heath, Mary  
Mangipudi, Latha  
Long, Patrick  
Rosenwald, Cindy  
Soucy, Timothy  
Williams, Kermit**MERRIMACK**French, Barbara  
Deloge, Helen  
Henle, Paul  
Kenison, Linda  
Moffett, Howard  
Saunderson, George  
Wheeler, DeborahBartlett, Christy  
Doherty, David  
Hess, David  
Kidder, David  
Myler, Mel  
Schuett, DianneBradley, Paula  
Ebel, Karen  
Frazer, June  
Luneau, David  
Ratzki, Mario  
Shurtleff, StephenCarson, Clyde  
Gile, Mary  
Karrick, David  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane**ROCKINGHAM**Barnes, Arthur  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Lovejoy, Patricia  
McBeath, Rebecca  
Sherman, ThomasBerrien, Skip  
Cushing, Robert  
Francese, Paula  
Griffin, Mary  
Gordon, Pamela  
Simpson, AlexisBorden, David  
DiFranco, Debbie  
Ward, Gerald  
Major, Norman  
Pantelakos, Laura  
Welch, DavidCahill, Michael  
Edgar, Michael  
Heffron, Frank  
Matthews, Carolyn  
Peckham, Michele**STRAFFORD**Baber, William  
Cilley, Jacalyn  
Smith, Marjorie  
Spang, Judith  
Wall, JanetBerube, Roger  
DiSesa, Len  
Schmidt, Peter  
Sprague, DaleBixby, Peter  
Horrigan, Timothy  
Rollo, Deanna  
Treleven, SusanBurton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Verschueren, James

**SULLIVAN**

Schmidt, Andrew  
Irwin, Virginia

Cloutier, John  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne

**NAYS - 189****BELKNAP**

Aldrich, Glen  
Gallagher, Brian  
Spanos, Peter

Dumais, Russell  
Howard, Raymond  
Sylvia, Michael

Tilton, Franklin  
Hurt, George  
Fraser, Valerie

Fisher, Robert  
LeBreche, Shari  
Varney, Peter

**CARROLL**

Avellani, Lino  
Nelson, Bill

Chandler, Gene  
Umberger, Karen

Comeau, Ed

Cordelli, Glenn

**CHESHIRE**

Hunt, John

McConnell, James

Sterling, Franklin

**COOS**

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Ladd, Rick

Brown, Duane  
Gionet, Edmond  
Massimilla, Linda

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbreton, Paul

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Burt, John  
DiSilvestro, Linda  
Estevez, Eric  
Smith, Gregory  
Haefner, Robert  
Hopper, Gary  
Rice, Kimberly  
LeBrun, Donald  
Murphy, Keith  
Pellegrino, Anthony  
Christie, Rick  
Schleien, Eric  
Simmons, Tammy  
Twombly, Timothy  
Wolf, Terry

Ammon, Keith  
Biggie, Barbara  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
Kurk, Neal  
Marston, Dick  
Notter, Jeanine  
Peterson, Ken  
Ober, Russell  
Scotsas, Lisa  
Souza, Kathleen  
Ulery, Jordan  
Zaricki, Nick

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Flanagan, Jack  
Gould, Linda  
Hinch, Richard  
Belanger, James  
Ober, Lynne  
McLean, Mark  
Ohm, Bill  
Pierce, David  
Rouillard, Claire  
Seidel, Carl  
Stepanek, Stephen  
Sullivan, Victoria

Balcom, John  
Bouldin, Amanda  
Danielson, David  
Edwards, Elizabeth  
Fromuth, Bart  
Goulette, William  
Hogan, Edith  
Jack, Martin  
Lachance, Joseph  
Murotake, David  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Shaw, Barbara  
Straight, Phillip  
O'Brien, William

**MERRIMACK**

Turcotte, Alan  
McGuire, Dan  
Horn, Werner  
Martin, John

Brewster, Michael  
French, Harold  
Kotowski, Frank  
Patten, Dick

McGuire, Carol  
Hill, Gregory  
Kuch, Bill  
Seaworth, Brian

Long, Douglas  
Hoell, J.R.  
Marple, Richard  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Cook, Allen  
Devine, James  
Chase, Francis  
Friel, William

Abrami, Patrick  
Bates, David  
Thomas, Douglas  
Doucette, Fred  
Rice, Frederick  
Gannon, William

Abramson, Max  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Ferrante, Beverly  
Green, Dennis

Azarian, Gary  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Fesh, Robert  
Guthrie, Joseph

Hagan, Joseph  
Introne, Robert  
Kappler, Lawrence  
McMahon, Charles  
Osborne, Jason  
Gordon, Richard  
Sytek, John  
Weyler, Kenneth

Harris, Jeffrey  
Itse, Daniel  
Katsakiores, Phyllis  
Milz, David  
Packard, Sherman  
Tilton, Rio  
True, Chris

Hodgdon, Bruce  
Sweeney, Joe  
Kolodziej, Walter  
Nigrello, Robert  
Potucek, John  
Schroadter, Adam  
Vose, Michael

Hoelzel, Kathleen  
Ward, Joanne  
Manning, John  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Webb, James

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Leeman, Don

Bickford, David  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

### SULLIVAN

Converse, Larry  
Smith, Steven

Grenier, James

Laware, Thomas

Rollins, Skip

and the committee report failed.

Rep. Hoell moved Ought to Pass and offered floor amendment (1888h).

### Floor Amendment (1888h)

Amend RSA 159:6, I as inserted by section 1 of the bill by inserting after subparagraph (b) the following new subparagraph:

*(c) No officer or employee of the state of New Hampshire, or any subdivision thereof, shall be held liable for any criminal act committed as a result of such officer or employee issuing a license pursuant to this section.*

### AMENDED ANALYSIS

This bill amends the requirements for obtaining a concealed carry license by removing the requirement that the applicant be "suitable" and inserting a requirement that the applicant not be prohibited from possessing a firearm by state or federal statute. The bill also provides immunity for an officer or employee of the state who issues a concealed carry license as authorized by statute.

Reps. Hoell and Tholl spoke in favor.

Floor amendment (1888h) was adopted.

The question now being adoption of the motion of Ought to Pass with Amendment.

Rep. Marston requested a roll call; sufficiently seconded.

**YEAS 217 NAYS 132**

### YEAS - 217

#### BELKNAP

Aldrich, Glen  
Fisher, Robert  
LeBreche, Shari  
Varney, Peter

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Howard, Raymond  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Fraser, Valerie

#### CARROLL

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

#### CHESHIRE

Emerson, Susan  
Sterling, Franklin

Hunt, John

Roberts, Kris

McConnell, James

#### COOS

Fothergill, John  
Theberge, Robert

Moynihn, Wayne  
Tholl, John

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Ladd, Rick

Brown, Duane  
Gionet, Edmond  
Massimilla, Linda

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbreton, Paul

**HILLSBOROUGH**

Adams, Christopher  
Baroody, Benjamin  
Bouldin, Amanda  
Coffey, James  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Goulette, William  
Hogan, Edith  
Jack, Martin  
Ober, Lynne  
Marston, Dick  
Notter, Jeanine  
Peterson, Ken  
Ober, Russell  
Scontsas, Lisa  
Souza, Kathleen  
Tombly, Timothy  
Wolf, Terry

Ammon, Keith  
Barry, Richard  
Burt, John  
Danielson, David  
Edelblut, Frank  
Flanagan, Jack  
Gargas, Carolyn  
Haefner, Robert  
Hopper, Gary  
Rice, Kimberly  
Lachance, Joseph  
McLean, Mark  
Ohm, Bill  
Pierce, David  
Rouillard, Claire  
Seidel, Carl  
Stepanek, Stephen  
Ulery, Jordan  
Zaricki, Nick

Griffin, Barbara  
Biggie, Barbara  
Byron, Frank  
DiSilvestro, Linda  
Edwards, Elizabeth  
Fromuth, Bart  
Gidge, Kenneth  
Hansen, Peter  
Infantine, William  
Kurk, Neal  
LeBrun, Donald  
Murotake, David  
Parison, James  
Proulx, Mark  
Sanborn, Laurie  
Shaw, Barbara  
Straight, Phillip  
Sullivan, Victoria

Balcom, John  
Boehm, Ralph  
Christensen, Chris  
Donovan, Daniel  
Estevez, Eric  
Smith, Gregory  
Gould, Linda  
Hinch, Richard  
Belanger, James  
Christiansen, Lars  
Mangipudi, Latha  
Murphy, Keith  
Pellegrino, Anthony  
Christie, Rick  
Schleien, Eric  
Simmons, Tammy  
Takesian, Charlene  
O'Brien, William

**MERRIMACK**

Turcotte, Alan  
McGuire, Dan  
Hoell, J.R.  
Marple, Richard  
Walsh, Thomas

Brewster, Michael  
French, Harold  
Horn, Werner  
Martin, John  
Wheeler, Deborah

McGuire, Carol  
Hess, David  
Kotowski, Frank  
Saunderson, George

Long, Douglas  
Hill, Gregory  
Kuch, Bill  
Seaworth, Brian

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Fesh, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Ward, Joanne  
Griffin, Mary  
Milz, David  
Packard, Sherman  
Gordon, Richard  
Sytek, John  
Welch, David

Abrami, Patrick  
Barnes, Arthur  
Cook, Allen  
Devine, James  
Chase, Francis  
Friel, William  
Hagan, Joseph  
Introne, Robert  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Tilton, Rio  
True, Chris  
Weyler, Kenneth

Abramson, Max  
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Doucette, Fred  
Rice, Frederick  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Katsakiores, Phyllis  
Manning, John  
O'Connor, John  
Potucek, John  
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Ferrante, Beverly  
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Hodgdon, Bruce  
Sweeney, Joe  
Kolodziej, Walter  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Leeman, Don  
Wuelper, Kurt

Bickford, David  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Sprague, Dale

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard  
Whitehouse, Joshua

**SULLIVAN**

Converse, Larry  
Rollins, Skip

Grenier, James  
Smith, Steven

Laware, Thomas

Oxenham, Lee

**NAYS - 132****BELKNAP**

Flanders, Donald

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Chase, Cynthia  
Parkhurst, Henry  
Sad, Tara

Tilton, Benjamin  
Eaton, Daniel  
Pearson, William  
Shepardson, Marjorie

Berch, Paul  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

**COOS**

Froburg, Alethea

Hatch, William

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Nordgren, Sharon  
Townsend, Charles

Almy, Susan  
Higgins, Patricia  
Piper, Wendy

Bennett, Travis  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Maes, Kevin  
Sykes, George

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Backus, Robert  
Cornell, Patricia  
Gorman, Mary  
Heath, Mary  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Vann, Ivy

Booras, Efstathia  
Cote, David  
Guerette, C. Lee  
Herbert, Christopher  
Brown, Pamela  
Walsh, Robert  
Snow, Kendall  
Williams, Kermit

Roberts, Carol  
Freitas, Mary  
Hansberry, Daniel  
Leishman, Peter  
Long, Patrick  
Rosenwald, Cindy  
Soucy, Timothy  
Woodbury, David

Cohen, Alan  
Goley, Jeffrey  
Harvey, Suzanne  
Manley, Jonathan  
Palmer, Barry  
Rowe, Robert  
Smith, Timothy

**MERRIMACK**

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Deloge, Helen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Schuett, Dianne

Bartlett, Christy  
Doherty, David  
Frazer, June  
Luneau, David  
Patten, Dick  
Shurtleff, Stephen

Bradley, Paula  
Ebel, Karen  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Wallner, Mary Jane

Carson, Clyde  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine

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**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
DiSesa, Len  
Smith, Marjorie  
Spang, Judith

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Treleaven, Susan

Burton, Wayne  
Ward, Kenneth  
Rollo, Deanna  
Verschueren, James



## SULLIVAN

Schmidt, Andrew  
Irwin, Virginia

Cloutier, John  
O'Heame, Andrew

Gagnon, Raymond

Gottling, Suzanne

and the motion was adopted and ordered to third reading.  
Rep. Goley voted Nay and intended to vote Yea.

**SB 339-FN, relative to required DNA analysis for certain offenses. OUGHT TO PASS WITH AMENDMENT.**

Rep. Len DiSesa for Criminal Justice and Public Safety. Current law requires that the collection of a DNA sample (a cheek swab) be taken and analyzed upon a person's intake or prior to the release of a person from the state prison. The collection and analysis are allowed under current statute for any person convicted of any sexual offense, any offense against a child, any other felony offense prohibited by NH law, or "...another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason." This bill as amended adds the language "...or any person declared not guilty by reason of insanity and civilly committed to the Department of Corrections." This language addition closes a loophole in the statute and would allow the Department of Corrections to collect and analyze a DNA sample if a person committed a felony offense but was found not guilty by reason of insanity. DNA is only collected at the state prison, not at any county jail or other lockup facility. Currently, there are less than 20 persons incarcerated who would fall into this category, as well as a much smaller number of persons who have been civilly committed to the state prison because they are a danger to either themselves or others. It costs about \$100 for collecting and analyzing each DNA swab, but there is a federally funded program that pays for this so there is no cost to the state. Further, all fifty states have a variation of this law, with some states like California collecting DNA samples upon arrest rather than upon conviction. The amendment also adds the following language: "This paragraph shall not apply to any person who has been involuntarily committed to the secure psychiatric unit under RSA 135-C [New Hampshire Mental Health Services System] or RSA 622:45 [Secure Psychiatric Unit]." Both the Department of Corrections and the Department of Safety supported this bill. Tim Pifer, the NH State Police Forensic Laboratory Director, testified that given the substantial recidivism rate of persons who are found not guilty by reason of insanity for serious crimes, the bill would serve both as a deterrent and as a useful investigative tool for unsolved crimes. NH Department of Corrections Commissioner William Wrenn also appeared before the committee to voice strong support for this bill. The committee debated the balance between public safety and individual rights to privacy, but the majority of the committee felt this to be a minimal intrusion to an individual with the greater good to society to be of stronger benefit. Over the years, with the perfecting of DNA analysis, many cold cases have been solved and many wrongly convicted persons have been exonerated. Vote 17-2.

**Amendment (1605h)**

Amend RSA 651-C:2, I as inserted by section 1 of the bill by replacing it with the following:

I. Upon intake or prior to the release of any offender after conviction for the commission of any sexual offense, as defined in RSA 651-B:1, V, or any offense against a child as defined in RSA 651-B:1, VII, or any other felony offense prohibited by the laws of this or another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason, *or any person found to be not guilty by reason of insanity under RSA 651:8-b for any of the offenses listed under this paragraph, or any person committed to the secure psychiatric unit by order of the court after being found not competent to stand trial pursuant to RSA 135:17-a for an offense listed under this paragraph, and subsequently committed under RSA 171-B:12 or RSA 135-C:34*, such person shall have a DNA sample taken for DNA analysis to determine identification characteristics specific to the person.

**AMENDED ANALYSIS**

This bill requires DNA analysis for certain persons found not guilty by reason of insanity or committed to the secure psychiatric unit.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 498-FN, relative to penalties for possession of certain controlled drugs. OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill signals an important agreement between the House and the Senate and amongst stakeholders in substance misuse policy discussions that New Hampshire needs to take a public health and harm reduction approach to the use of marijuana. Currently, a criminal penalty accompanying a conviction for first-time possession of a small amount of marijuana can lead to a lifetime of harsh consequences. These may include denial of student financial aid, housing, employment, and professional licenses. This bill as amended would make first-time possession of a small amount of marijuana, up to one-quarter ounce, a violation, subject to a fine of \$300, instead of a misdemeanor crime subject to arrest, jail time, and a criminal record. The amended bill only applies to first-time possession - second and subsequent offenses of possessing a small amount of marijuana could still be charged as a misdemeanor. Half the fines collected under the amended bill would be deposited into the fund to be used for drug and alcohol misuse prevention and education. The bill also provides that, in addition to paying a fine, a judge may order young people who are found to possess a small amount of marijuana to perform community service and may direct them to participate in alcohol and drug treatment programs. This bill does not endorse the use of marijuana, nor ignore the problems that can be associated with its use. Instead, it suggests that limited law enforcement and court resources should be applied more wisely and in accordance with public opinion. A UNH/WMUR poll released in July 2015 indicated that 72% of Granite Staters support decriminalizing marijuana. This bill as amended is a compromise that takes an incremental step toward reducing collateral damage done to people who use or experiment with marijuana. It seeks to stop making criminals out of citizens by placing our marijuana laws more in line with voter opinion and the New Hampshire Constitution and is a common sense approach that will enable us to redirect resources to combat the scourge of opioids that is ravaging our state. Vote 12-7.

**Amendment (1587h)**

Amend the bill by replacing all after the enacting clause with the following:

**I Statement of Purpose.**

I. New Hampshire's criminal justice system faces unprecedented challenges associated with the rising rate of opioid and opiate addiction.

II. Unlike opioids and opiates, which in 2015 reportedly caused 396 fatal overdose deaths in New Hampshire, marijuana has never been known to cause a fatal overdose. In fact, in August of 2015 the Journal of the American Medical Association reported that states that had made marijuana available for patients with severe pain saw a 24.8 percent drop in the rate of opioid deaths. Marijuana can thus be seen as a part of an effective strategy to combat opioid overdoses.

III. New Hampshire has maintained criminal penalties against marijuana possession for decades, and yet marijuana remains by far the most commonly used illicit substance in New Hampshire, with more than 11 percent of state residents reporting having used it in the past month, according to survey data from 2014 published by the Substance Abuse and Mental Health Services Administration. The same survey reported that only 3.69 percent of residents had used an illicit drug other than marijuana in the past month.

IV. The American Academy of Pediatrics endorsed decriminalization of marijuana in 2015, noting that reducing possession penalties to a violation has "not led to an increase in youth use rates" in states where it has been enacted.

V. Reducing the penalty for possessing 1/4 ounce or less of marijuana to a violation for first offenses and allowing offenders to pay fines by mail will result in less time and resources being spent on such cases, allowing police and courts to spend more time and resources dealing with serious crimes.

VI. A criminal penalty accompanying a conviction for possession of one-quarter ounce or less of marijuana can lead to a lifetime of harsh consequences. These may include denial of student financial aid, housing, employment, and professional licenses. Reducing this penalty to a violation for first offenses will significantly reduce the number of New Hampshire residents who receive criminal records for possessing one-quarter ounce or less of marijuana.

2 New Sections; Controlled Drug Act; Personal Possession of Marijuana. Amend RSA 318-B by inserting after section 2-b the following new sections:

**318-B:2-c Personal Possession of Marijuana.**

I. Except as provided in RSA 126-X, no person shall possess 1/4 ounce or less of marijuana, including adulterants or dilutants.

II. Except as provided in RSA 126-X, no person shall possess one gram or less of hashish, including adulterants or dilutants.

III.(a) Any person 18 years of age or older who violates the provisions of paragraph I or II shall be subject to a fine of \$300.

(b) Any person 18 years of age or older who violates the provisions of paragraph I or II and has one prior conviction for violating paragraph I or II in the preceding 3 years shall be guilty of a misdemeanor. Notwithstanding any provision of law to the contrary, any complaint alleging a second offense under paragraph I or II occurring within 3 years of a prior offense may be reduced to a violation at any time prior to trial. In addition to any other penalty authorized by law, any person sentenced under this subparagraph shall be ordered to pay a fine in the amount of not more than \$500.

(c) Any person 18 years of age or older who violates the provisions of paragraph I or II and has 2 or more prior convictions for violating paragraph I or II in the preceding 3 years shall be guilty of a misdemeanor. In addition to any other penalty authorized by law, any person sentenced under this subparagraph shall be ordered to pay a fine in the amount of not more than \$500.

(d) Any person under 18 years of age possessing 1/4 ounce or less of marijuana, including adulterants and dilutants, or one gram or less of hashish, including adulterants or dilutants, may be subject to a petition under RSA 169-B or 169-D. In addition to any requirements imposed as a result of a petition under RSA 169-B or 169-D, the court may order the offender to participate in up to 35 hours of community service, which shall be completed within one year of the date of the offense. Further, the court may order the offender to complete an alcohol and substance abuse education program that has been approved by the department of health and human services, at the offender's expense, within one year of the date of the offense. The offender shall furnish the court with evidence of completion of both an approved alcohol and substance abuse education program and community service. An offender who fails to complete an alcohol and substance abuse education program or community service requirement as ordered may be subject to an additional fine of up to \$350. In all cases under this subparagraph, the offender's parent or legal guardian shall be notified of all proceedings.

(e) Any person who is not yet 21 years of age on the date of the incident, who is convicted of a violation under paragraph I or II may, at the discretion of the court, be subject to the revocation or denial of a driver's license or privilege to drive for not more than 30 days on the first finding or conviction under this paragraph, and not more than one year for a subsequent finding or conviction. Nothing in this paragraph shall prevent the court from requiring any person subject to this provision to successfully complete a substance abuse education program in lieu of a loss or denial of driving license or privilege. The director, upon receipt of a notification from the court that the court has ordered the suspension of a person's license or driving privilege pursuant to this paragraph, shall issue a formal order of suspension and, in the case of denial of an application for a license, the period imposed shall begin on the date the person is eligible by age for the issuance of a license. Notwithstanding any other law regarding confidentiality, any court which convicts or makes a finding that an offense described in this paragraph has occurred involving a person who meets the age limits specified in this paragraph, and which orders the revocation or denial of a driver's license or privilege to drive, shall forward a notice of such conviction or finding to the director. The director shall maintain the confidentiality of notices received.

(f) The director shall, when ordered by the court, revoke the driver's license or privilege to drive or deny an application for a license for not more than 30 days on the first finding or conviction under paragraph I or II, and not more than one year for a subsequent finding or conviction; provided, however, that the director shall not revoke or deny a license or privilege to drive under this paragraph without first giving the person an opportunity for a hearing to determine that the person is the individual who was convicted of the offense and against whom the court order applies. In the case of denial of an application for a license, the period imposed shall begin on the date the person is eligible by age for the issuance of a license. This section shall only apply to a person who is not yet 21 years of age.

IV.(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph I or II. A person who commits a violation under paragraph I or II shall be released on a hand summons, provided the law enforcement officer does not have lawful grounds for arrest for a different offense. If a person has a previous conviction for a violation of paragraph I or II within the preceding 3 years, a law enforcement officer may issue a summons for the offense which informs the person that they must appear in court for arraignment on the date marked on the summons.

(b) Any person found with a violation level amount of marijuana or hashish who refuses to provide their correct full name and address shall be subject to arrest rather than issuance of a summons to ensure appearance at court.

(c) Except as specifically provided in this section, neither the state nor any of its political subdivisions shall impose any form of penalty on a person for possessing 1/4 ounce or less of marijuana, or one gram or less of hashish, or paraphernalia for marijuana use.

(d) This paragraph shall not be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(e) This paragraph shall not be construed to prohibit a law enforcement officer from taking a person into protective custody pursuant to RSA 172:15.

V. One-half of the amount of all fines collected under this section shall be deposited in the alcohol abuse prevention and treatment fund established in RSA 176-A:1 to be used for alcohol and other drug abuse prevention, treatment, and recovery, including the development of a marijuana education program pursuant to RSA 12-J:3, III-b, and one-half of the amount of such fines shall be used to fund the continued operation of the judicial branch.

#### 318-B:2-d Plea by Mail.

I. Any person 18 years of age or older who is charged with a violation of RSA 318-B:2-c, I or II may enter a plea of guilty, nolo contendere, or not guilty, by mail in a circuit court, district division, unless such person has received a summons that indicates that he or she must appear in person for arraignment pursuant to the provisions of RSA 318-B:2-c, IV(a).

II. Any defendant not subject to a must appear summons based upon a prior conviction shall receive, in addition to a summons, a fine notice entitled "Notice of Fine" which shall contain the amount of the fine for a violation of RSA 318-B:2-c, I or II. A defendant who is issued a summons and notice of fine and who wishes to plead guilty or nolo contendere shall enter his or her plea on the summons and return it with payment of the fine within 30 days of the date of the summons. Payment by credit card may be accepted in lieu of cash payment.

III. If the defendant wishes to enter a plea of not guilty, he or she shall enter such plea on the summons and return it within 30 days of the date of the summons. The circuit court, district division shall schedule a trial.

IV. Whenever a defendant does not enter a plea by mail within 30 days of the date of the summons, the defendant shall be defaulted and shall be subject to an additional \$100 fine.

V. Whenever a defendant willfully fails to pay a fine in connection with a conviction for a violation of RSA 318-B:2-c, I or II, or payment of such fine is noncollectible, the defendant shall be defaulted and the court may impose an additional fine of \$100.

#### 3 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II to read as follows:

II. Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter, shall be sentenced as follows, except as otherwise provided in this section:

(a) In the case of a controlled drug or its analog, classified in schedules I, II, III or IV, other than those specifically covered in this section, the person shall be guilty of a class B felony, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of not more than \$25,000 may be imposed. If any person commits such a violation after one or more prior offenses as defined in RSA 318-B:27, such person shall be guilty of a class A felony, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of up to \$50,000 may be imposed[;].

(b) In the case of a controlled drug or its analog classified in schedule V, the person shall be sentenced to a maximum term of imprisonment of not more than 3 years, a fine of not more than \$15,000, or both. If a person commits any such violation after one or more prior offenses as defined in RSA 318-B:27, such person shall be guilty of a class B felony, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of not more than \$25,000 may be imposed[;].

(c) ~~In the case of more than 5 grams of hashish, the person shall be guilty of a misdemeanor, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of not more than \$5,000 may be imposed.~~

(d) In the case of *more than 1/4 ounce of* marijuana, including any adulterants or dilutants, or ~~[5 grams or less]~~ *more than one gram* of hashish, the person shall be guilty of a class A misdemeanor.

#### 4 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) *Except as provided in RSA 318-B:2-c*, controls any premises or vehicle where he knows a controlled drug or its analog is illegally kept or deposited;

5 Other Alcohol or Drug Offenses; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. *This section shall not apply to the possession of marijuana or hashish as provided in RSA 318-B:2-c.*

6 New Paragraph; Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Duties. Amend RSA 12-J:3 by inserting after paragraph III-a the following new paragraph:

III-b. Develop a marijuana education program.

7 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill reduces the penalty for possession of 1/4 ounce or less of marijuana or one gram or less of hashish to a violation. The bill also requires the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to develop a marijuana education program. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Edwards requested a roll call; sufficiently seconded.

### YEAS 289 NAYS 58

#### YEAS - 289

##### BELKNAP

Aldrich, Glen  
LeBreche, Shari

Fields, Dennis  
Sylvia, Michael

Fisher, Robert  
Fraser, Valerie

Howard, Raymond  
Varney, Peter

##### CARROLL

Avellani, Lino  
Schmidt, Stephen

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

Comeau, Ed

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Abbott, Michael  
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Adams, Christopher  
Balcom, John  
Booras, Efstathia  
Christensen, Chris

Ammon, Keith  
Baroody, Benjamin  
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Roberts, Carol

Griffin, Barbara  
Biggie, Barbara  
Burt, John  
Coffey, James

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Cohen, Alan

Cornell, Patricia  
Eastman, Eric  
Ferreira, Elizabeth  
Smith, Gregory  
Gonzalez, Carlos  
Guerrero, C. Lee  
Hopper, Gary  
Rice, Kimberly  
Lachance, Joseph  
McLean, Mark  
Ohm, Bill  
Proulx, Mark  
Rosenwald, Cindy  
Schleien, Eric  
Shaw, Barbara  
Smith, Timothy  
Sullivan, Victoria  
Wolf, Terry

Danielson, David  
Edelblut, Frank  
Flanagan, Jack  
Gagne, Larry  
Gorman, Mary  
Harvey, Suzanne  
Infantine, William  
Kurk, Neal  
Leishman, Peter  
McNamara, Richard  
Long, Patrick  
Christie, Rick  
Rouillard, Claire  
Scotsas, Lisa  
Simmons, Tammy  
Takesian, Charlene  
Vann, Ivy  
Woodbury, David

DiSilvestro, Linda  
Edwards, Elizabeth  
Freitas, Mary  
Gidge, Kenneth  
Gould, Linda  
Heath, Mary  
Belanger, James  
Christiansen, Lars  
Mangipudi, Latha  
Murotake, David  
Parison, James  
Ober, Russell  
Rowe, Robert  
Seidel, Carl  
Soucy, Timothy  
Twombly, Timothy  
O'Brien, William  
Zaricki, Nick

Donovan, Daniel  
Estevez, Eric  
Fromuth, Bart  
Goley, Jeffrey  
Goulette, William  
Herbert, Christopher  
Jack, Martin  
Ober, Lynne  
Manley, Jonathan  
Murphy, Keith  
Porter, Marjorie  
Walsh, Robert  
Sanborn, Laurie  
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Stepanek, Stephen  
Ulery, Jordan  
Williams, Kermit

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Turcotte, Alan  
Brewster, Michael  
McGuire, Dan  
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Pitre, Joseph  
Treleaven, Susan  
Wuelper, Kurt

Bickford, David  
Cilley, Jacalyn  
Hannon, Joseph  
Kaczynski, Thomas  
Leeman, Don  
Southworth, Thomas  
Verschuere, James

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
O'Hearne, Andrew

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

**NAYS - 58****BELKNAP**

Dumais, Russell  
Hurt, George

Tilton, Franklin  
Spanos, Peter

Flanders, Donald

Gallagher, Brian

**CARROLL**

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

Crawford, Karel

McConkey, Mark

**CHESHIRE**

Parkhurst, Henry

**COOS**

Richardson, Herbert

Tholl, John

**GRAFTON**

Bailey, Brad

Brown, Duane

Ladd, Rick

**HILLSBOROUGH**

Barry, Richard  
Hansberry, Daniel  
LeBrun, Donald  
Pellegrino, Anthony  
Souza, Kathleen

Cote, David  
Hansen, Peter  
Marston, Dick  
Peterson, Ken  
Straight, Phillip

Gargasch, Carolyn  
Hinch, Richard  
Brown, Pamela  
Pierce, David

Haefner, Robert  
Hogan, Edith  
Palmer, Barry  
Snow, Kendall

**MERRIMACK**

Hess, David

Hill, Gregory

**ROCKINGHAM**

Cahill, Michael  
Friel, William  
Hoelzel, Kathleen  
Manning, John  
Weyler, Kenneth

DeSimone, Debra  
Gannon, William  
Introne, Robert  
Packard, Sherman

Devine, James  
Harris, Jeffrey  
Kolodziej, Walter  
Gordon, Richard

Rice, Frederick  
Hodgdon, Bruce  
Griffin, Mary  
Welch, David

**STRAFFORD**

Gray, James

Groen, Warren

Rollo, Deanna

and the committee report was adopted and ordered to third reading.

**SB 540-FN**, relative to the possession, use, or sale of kratom by any person under 18 years of age. **OUGHT TO PASS.**

Rep. John Martin for Criminal Justice and Public Safety. Kratom is illegal to import into the United States. It is also illegal in Thailand, the country where it is primarily grown. Kratom has been described as similar to khat, a drug widely used in Africa to stimulate warlord gangs and child soldiers. There is documentary evidence submitted which suggests that this substance, when abused, can be addictive, and in several instances where it has been offered as an alternative to opioids, its use has led back to opioid abuse in a vicious cycle. There are currently no prohibitions in NH law against this substance. This is a start, albeit a small one. Vote 9-8.

Rep. Marston spoke against.

Rep. Martin spoke in favor and yielded to questions.

**MOTION TO LAY ON THE TABLE**

Rep. Spillane moved that **SB 540-FN**, relative to the possession, use, or sale of kratom by any person under 18 years of age, be laid on the table.

On a division vote, with 202 members having voted in the affirmative, and 143 in the negative, the motion was adopted.

**REGULAR CALENDAR CONT'D**

**SB 483-FN**, establishing a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Heath for the Majority of Education. This bill as amended establishes the position of a chartered school program officer in the department of education. In 2013, HB 1128 established a study committee which resulted in further legislation that established a commission to study the issues related to children attending public charter schools. In 2014, that commission was enacted by statute and meets regularly to discuss public school charter issues. That commission identified the need for and strongly recommended a charter school program officer within the department of education. The chartered public school officer will serve an important role in the design, development, authorization, evaluation and implementation of NH public charter schools. Furthermore, the position will assist in securing federal funds and other resources for public charter schools as well as creating a forum to share ideas among charter schools and programs that our traditional public schools may want to explore. This bill will require the commissioner of education to establish this position to take effect July 1, 2017. Vote 14-6.

Rep. Glenn Cordelli for the Minority of Education. This bill, as amended, would seek to create a new position in the Department of Education in the next budget. The minority believes that this position can be requested in the next budget by the department without this bill. For a number of years, this function has actually been grant funded. As we recently saw with the denial of an application for a Windham Charter School, they received the needed support from the department. The issue is with the Board of Education who denied the application. This bill does not address that larger issue.

**Majority Amendment (1362h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing the position of chartered public school program officer in the department of education.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. The chartered public school program officer position under this act provides statewide administrative oversight, support, and guidance to ensure the chartered public school education program, including the delivery of special education services, which complies with state and federal requirements.

2 New Paragraph; Department of Education; Duties of Commissioner; Chartered Public School Program Officer. Amend RSA 21-N:4 by inserting after paragraph XI the following new paragraph:

XII. No later than October 1, 2017, establish a chartered public school program officer position which shall be a classified position. The commissioner shall include a new classified chartered public school program officer classified position in its efficiency expenditure report pursuant to RSA 9:4 for the biennium ending June 30, 2019 and every biennium thereafter. The chartered public school program officer shall:

- (a) Answer inquiries regarding charter public schools.
- (b) Act as a liaison between chartered public schools and the department of education.
- (c) Ensure that a chartered public school is implementing its charter mission.
- (d) Provide training for interested parties on the governance of chartered public schools and the development of chartered public school policy.
- (e) Assist the chartered public school in identifying and securing alternative funding sources.
- (f) Receive and evaluate progress reports from chartered public schools, identify best practices for instruction and management in chartered public schools, and develop a process to share such best practices with other public schools.
- (g) Act as the liaison between chartered public schools and the United States Department of Education.
- (h) Act as the liaison between chartered public school advocacy groups and interested parties.
- (i) Act as the liaison between chartered public schools and other public schools in the chartered public school's geographic region.
- (j) Work closely with the resident school districts and chartered public schools to assure appropriate support for students with disabilities.

3 Effective Date. This act shall take effect July 1, 2017.



**AMENDED ANALYSIS**

This bill requires the commissioner of the department of education to establish the position of chartered public school program officer.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 207 members having voted in the affirmative, and 134 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 4**, relative to eligibility to vote and relative to availability of voter information. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Adam Schroadter for the Majority of Election Law. This bill, establishing a 30-day domicile requirement for voting in New Hampshire, is similar to SB 179 from last year. It strikes a balance between ease-of-voting and the necessity of protecting the integrity of our elections. It is the result of many hearings and meetings with the public, the Secretary of State and Deputy Secretary of State, and groups concerned with the election process. Testimony included surprisingly high statistics of voters registering in New Hampshire with out-of-state drivers' licenses and verified cases of drive-by-voting from the Department of Justice. A July 2015 WMUR Granite State poll reported a majority of Granite Staters support a 30-day residency requirement for voting in New Hampshire, as was included previously in SB 179 and also here in SB 4. The majority of the committee feels it is crucial that those who vote in the State of New Hampshire are, in fact, residents and domiciliaries of the state and not individuals seeking to take advantage of the voting system for personal gain. Elections are often decided by narrow margins and even a small degree of influence carries the potential to change the result of an election. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. Despite an earlier proposal for a 10-day prohibition against new citizens voting in NH, the committee majority now proposes passage of SB 4, which establishes a 30-day residency requirement. Clearly, the NH Constitution establishes that a citizen may vote in NH wherever he or she is "domiciled" on the day of the election. In a state such as ours, where the capacity for same-day voter registration has been well established, the minority believes it is unfair and constitutionally wrong to require a citizen to prove an extended period of in-state residency in order to vote. Testimony from town clerks, the NH League of Women Voters, and other witnesses clearly established that this change to our law would definitely prevent eligible voters from voting. The likelihood of this offensive result is based on actual interactions between voters and these clerks and advocates in recent past elections. The bill authorizes clerks and registrars to consider a citizen's federal tax records, interactions with government agencies, and to examine NH licenses to determine domicile. At the time of the executive session, an amendment to the bill was presented to add a "Statement of Purpose" to the bill. It is to be attached to the new law to explain to others what this new law means. The statement actually has the audacity to include the claims that it expresses not only the intent of this legislature in passing this law, but also the intent of the members of the 1974 Constitutional Convention; the past intent of a "Supreme Court," but without identifying which case or even which supreme court it is referring to; and, finally, it states that the 1976 "domicile" amendment to the NH Constitution "no longer complies with current statutes," a claim which sort of puts the cart before the horse. This bill will deprive valid NH citizens of their fundamental right to vote.

**Majority Amendment (1349h)**

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 Statement of Purpose. The New Hampshire constitution states: "Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile." Members of the 1974 Constitutional Convention voted to make "domicile" a prerequisite for voting, rather than being an inhabitant or resident, with the intent to require a more definite and permanent qualification that preserves and promotes confidence in elections. It was deemed that a person may have multiple residences at one time, but only one domicile. The amendment to the constitution was passed during the 1976 general election; however, under the wording of our current statutes, it is difficult for the state to assert this constitutional interest in preserving the integrity, fairness, and efficiency of the election process. The Supreme Court has stated that this interest justifies the state's imposition of certain eligibility requirements for voters and has upheld the legislatures' duty to set qualifications for the equal

constitutional right to be elected. A 30-day domiciliary requirement for electors provides administrative clarification while preserving and promoting voter confidence in New Hampshire's unmatched tradition of ballot access and voter participation.

Rep. Moynihan spoke against.

Rep. Gray spoke in favor.

On a division vote, with 202 members having voted in the affirmative, and 140 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Gannon offered floor amendment (1876h).

### Floor Amendment (1876h)

Amend the bill by replacing sections 1-3 with the following:

1 Voter; Domicile. Amend RSA 654:1, I to read as follows:

**I. (a) Every inhabitant [of the state], having [a single] established domicile [for voting purposes] in this state for no less than 10 consecutive days before any election where the inhabitant offers to vote, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled.**

**(b)(1) An inhabitant's domicile for voting purposes [is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.] shall be the principal or primary home or place of abode of a person. Principal or primary home or place of abode is that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence therefrom, including when the person is absent because of military service or temporarily absent as described in RSA 654:2.**

**(2) In determining what is a principal or primary place of abode of a person, without limitation the following factors or evidence relating to such person may be taken into account: civic and community participation, the place where a person spends most nights of the year, the location from which a person would apply for a passport or other federal identification, residence for income or other tax purposes, eligibility for a resident hunting and fishing license, and a New Hampshire driver's license.**

**(3) A qualified voter who has left his or her home and gone into another state or town of this state for a temporary purpose only shall not be considered to have lost his or her domicile as described in RSA 654:2.**

**(4) A person shall not be considered to have gained a domicile in any town or ward of this state into which he or she comes for temporary purposes only, without the intention of making it his or her home but with the intention of leaving it when he or she has accomplished the purpose that brought him or her there. Evidence that a person who, prior to arriving in New Hampshire, was domiciled in another state and is temporarily present in New Hampshire for any purpose including, but not limited to vacation, short-term temporary work, volunteering for social or civic purposes, or volunteering or working on political campaigns is not sufficient evidence that the person has established a domicile in New Hampshire.**

**(5) If a qualified voter moves to another state, with the intention of making it his or her permanent home, he or she shall be considered to have lost his or her domicile in this state.**

**(c) A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.**

2 New Paragraphs; Voter; Domicile. Amend RSA 654:1 by inserting after paragraph I-a the following new paragraphs:

**I-b. Any person who establishes a voting domicile that otherwise meets the requirement of paragraph I, less than 10 days before any election where the inhabitant offers to vote shall vote at the polling place for the town or ward of his or her most recent previous domicile. Except that any person who transfers an existing New Hampshire voter registration and satisfies the requirements of this chapter for proving his or her new domicile may vote at the polling place for the town or ward of his or her new domicile.**

I-c. Any person who met the requirements of this chapter to register to vote in New Hampshire who has established a voting domicile outside of New Hampshire within the 10 consecutive days before an election and is not allowed to register and vote in that election in the state of his or her new domicile because he or she established that new domicile within 10 consecutive days before that election may vote at the polling place for the New Hampshire town or ward where he or she was previously domiciled.

3 Voter Registration Form. Amend RSA 654:7, IV to read as follows:  
IV.(a) [A] Standard registration application [form] **forms** shall be used throughout the state. The registration [form] **forms** shall be no larger than 8 1/2 inches by 11 inches.  
(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, **transfers, or updates** other than those at the polling place on the date of a state general election, which shall be in substantially the following form:  
\_\_\_ **NEW REGISTRATION I am not registered to vote in New Hampshire**  
\_\_\_ **TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire**  
\_\_\_ **NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address**

Date \_\_\_\_\_

VOTER REGISTRATION FORM

(Please print or type)

1. Name \_\_\_\_\_  
Last (suffix) First Full Middle Name

2. Domicile Address \_\_\_\_\_  
Street Ward Number

Town or City Zip Code

3. Mailing Address if different than in 2 \_\_\_\_\_  
Street

Town or City Zip Code

4. Place and Date of Birth \_\_\_\_\_  
Town or City State

Date \_\_\_\_\_

5. Are you a citizen of the United States? Yes \_\_\_\_\_ No \_\_\_\_\_  
If a naturalized citizen, give name of court where and date when naturalized \_\_\_\_\_

6. Place last registered to vote \_\_\_\_\_  
Street Ward Number

7. Name under which previously registered, if different from above \_\_\_\_\_

8. Party Affiliation (if any) \_\_\_\_\_

9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_  
If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_. I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire.

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 10 consecutive days before the first election in which I intend to vote.

I understand that if I have not been domiciled in New Hampshire for at least 10 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

**Signature of Applicant**

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

(c) The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations, **transfers, or updates** at the polling place on the date of a state general election, which shall be in substantially the following form:

**NEW REGISTRATION** I am not registered to vote in New Hampshire

**TRANSFER** I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

**NAME CHANGE/ADDRESS UPDATE** I am registered to vote in this town/ward and have changed my name/address

Date \_\_\_\_\_

FOR USE AT THE POLLING PLACE ON THE DATE OF THE STATE GENERAL  
ELECTION

(Please print or type)

1. Name \_\_\_\_\_

Last	(suffix) First	Full Middle Name
------	----------------	------------------

2. Domicile Address \_\_\_\_\_  
Street Ward Number

Town or City \_\_\_\_\_ Zip Code \_\_\_\_\_

3. Mailing Address if different than in 2 \_\_\_\_\_  
Street

Town or City \_\_\_\_\_ Zip Code \_\_\_\_\_

4. Place and Date of Birth \_\_\_\_\_  
Town or City State

Date \_\_\_\_\_

5. Are you a citizen of the United States? Yes \_\_\_\_\_ No \_\_\_\_\_

If a naturalized citizen, give name of court where and date when naturalized

6. Place last registered to vote \_\_\_\_\_

Street Ward Number

7. Name under which previously registered, if different from above

8. Party Affiliation (if any) \_\_\_\_\_

9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_.. I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire.

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town. **Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 10 consecutive days before the first election in which I intend to vote.**

**I understand that if I have not been domiciled in New Hampshire for at least 10 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.**

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

~~[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]~~

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date	Signature of Applicant
If this form is used in place of proof of identity, age, citizenship, or domicile, I hereby swear that such information is true and accurate to the best of my knowledge.	
This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):	
Identity	yes/no _____ (initials)
Citizenship	yes/no _____ (initials)
Age	yes/no _____ (initials)
Domicile	yes/no _____ (initials)

Applicant	Election Official
-----------	-------------------

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

AMENDED ANALYSIS

- This bill:
- I. Expands the definition of domicile for voting purposes and requires that a voter be a resident of the state for at least 10 days.
  - II. Modifies the voter registration form.
  - III. Allows otherwise confidential voter information to be made available to the legislature in an aggregated or statistical data format.

Rep. Gannon spoke in favor.  
Rep. Burton spoke against.  
Floor amendment (1876h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Moynihan spoke against.  
Rep. William O'Brien spoke in favor.  
Rep. Sanborn requested a roll call; sufficiently seconded.

## YEAS 203 NAYS 144

### YEAS - 203

#### BELKNAP

Aldrich, Glen  
Fisher, Robert  
Hurt, George  
Fraser, Valerie

Dumais, Russell  
Flanders, Donald  
LeBreche, Shari  
Varney, Peter

Tilton, Franklin  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Howard, Raymond  
Sylvia, Michael

#### CARROLL

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

#### CHESHIRE

Emerson, Susan  
Sterling, Franklin

Hunt, John

McConnell, James

Phillips, Larry

#### COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

#### GRAFTON

Bailey, Brad  
Johnson, Eric  
Ladd, Rick

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingretson, Paul

#### HILLSBOROUGH

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Donovan, Daniel  
Ferreira, Elizabeth  
Gagne, Larry  
Haefner, Robert  
Hopper, Gary  
Kurk, Neal  
LeBrun, Donald  
Murphy, Keith  
Parison, James  
Proulx, Mark  
Rowe, Robert  
Seidel, Carl  
Straight, Phillip  
O'Brien, William

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Flanagan, Jack  
Gonzalez, Carlos  
Hansen, Peter  
Infantine, William  
Christiansen, Lars  
Marston, Dick  
Notter, Jeanine  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, Timothy  
Wolf, Terry

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Fromuth, Bart  
Gould, Linda  
Hinch, Richard  
Belanger, James  
Ober, Lynne  
McLean, Mark  
Ohm, Bill  
Peterson, Ken  
Ober, Russell  
Schleien, Eric  
Souza, Kathleen  
Ulery, Jordan  
Zaricki, Nick

Balcom, John  
Burt, John  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Goulette, William  
Hogan, Edith  
Rice, Kimberly  
Lachance, Joseph  
Murotake, David  
Palmer, Barry  
Pierce, David  
Rouillard, Claire  
Scontsas, Lisa  
Stepanek, Stephen  
Sullivan, Victoria

#### MERRIMACK

Brewster, Michael  
French, Harold  
Horn, Werner  
Marple, Richard

McGuire, Carol  
Hess, David  
Kidder, David  
Martin, John

Long, Douglas  
Hill, Gregory  
Kotowski, Frank  
Seaworth, Brian

McGuire, Dan  
Hoell, J.R.  
Kuch, Bill  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
 Baldasaro, Alfred  
 Cook, Allen  
 Doucette, Fred  
 Chase, Francis  
 Friel, William  
 Hagan, Joseph  
 Introne, Robert  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Gordon, Richard  
 Sytek, John  
 Welch, David

Abrami, Patrick  
 Barnes, Arthur  
 Thomas, Douglas  
 Duarte, Joe  
 Rice, Frederick  
 Gannon, William  
 Harris, Jeffrey  
 Itse, Daniel  
 Katsakiores, Phyllis  
 Manning, John  
 Nigrello, Robert  
 Peckham, Michele  
 Tilton, Rio  
 True, Chris  
 Weyler, Kenneth

Abramson, Max  
 Cardon, G. Thomas  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Ferrante, Beverly  
 Green, Dennis  
 Hodgdon, Bruce  
 Sweeney, Joe  
 Kolodziej, Walter  
 Matthews, Carolyn  
 O'Connor, John  
 Potucek, John  
 Schroadter, Adam  
 Vose, Michael

Azarian, Gary  
 Chirichiello, Brian  
 Devine, James  
 Emerick, J. Tracy  
 Fesh, Robert  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Ward, Joanne  
 Griffin, Mary  
 McMahon, Charles  
 Osborne, Jason  
 Prudhomme-O'Brien, Katherine  
 Spillane, James  
 Webb, James

**STRAFFORD**

Beaudoin, Steven  
 Graham, Robert  
 Jones, Laura  
 Leeman, Don

Berube, Roger  
 Gray, James  
 Kaczynski, Thomas  
 Pitre, Joseph

Cheney, Catherine  
 Groen, Warren  
 Knowles, Robert  
 Whitehouse, Joshua

DeLemus, Susan  
 Hannon, Joseph  
 Turcotte, Leonard  
 Wuelper, Kurt

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 144****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Bordenet, John  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

Ames, Richard  
 Chase, Cynthia  
 Mann, John  
 Sad, Tara

Tilton, Benjamin  
 Eaton, Daniel  
 Parkhurst, Henry  
 Shepardson, Marjorie

Berch, Paul  
 Roberts, Kris  
 Pearson, William  
 Tatro, Bruce

**COOS**

Froburg, Alethea  
 Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
 Ford, Susan  
 Massimilla, Linda  
 Sykes, George

Almy, Susan  
 Higgins, Patricia  
 Nordgren, Sharon  
 Townsend, Charles

Bennett, Travis  
 Hennessey, Martha  
 Piper, Wendy  
 White, Andrew

Cooney, Mary  
 Maes, Kevin  
 Smith, Suzanne

**HILLSBOROUGH**

Baroody, Benjamin  
 Cohen, Alan  
 Edwards, Elizabeth  
 Guerette, C. Lee  
 Herbert, Christopher  
 Manley, Jonathan  
 Porter, Marjorie  
 Shaw, Barbara  
 Takesian, Charlene

Booras, Efstathia  
 Cornell, Patricia  
 Freitas, Mary  
 Hansberry, Daniel  
 Jack, Martin  
 McNamara, Richard  
 Walsh, Robert  
 Snow, Kendall  
 Vann, Ivy

Bouldin, Amanda  
 Cote, David  
 Gidge, Kenneth  
 Harvey, Suzanne  
 Leishman, Peter  
 Brown, Pamela  
 Rosenwald, Cindy  
 Soucy, Timothy  
 Williams, Kermit

Roberts, Carol  
 DiSilvestro, Linda  
 Gorman, Mary  
 Heath, Mary  
 Mangipudi, Latha  
 Long, Patrick  
 Shattuck, Gilman  
 Smith, Timothy  
 Woodbury, David

**MERRIMACK**

Turcotte, Alan	French, Barbara	Bartlett, Christy	Bradley, Paula
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Frazer, June	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane
Wheeler, Deborah			

**ROCKINGHAM**

Bates, David	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Francese, Paula	Ward, Gerald	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Gordon, Pamela	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis			

**STRAFFORD**

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Sprague, Dale	Treleaven, Susan
Verschueren, James	Wall, Janet		

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

**SB 423**, relating to the right of 17-year olds to register to vote. **OUGHT TO PASS.**

Rep. William Pearson for Election Law. This bill simply clarifies a current law. While there were some on the committee who felt our voting system is vulnerable to participation by those under 18 years of age, the Secretary of State assured us that our supervisors of the checklists are very well trained and, as of yet, there have been no incidents where a 17-year-old has been able to fraudulently vote. As the bill does not make any changes to current practice, the bipartisan majority of the Election Law Committee sees no cause for concern and recommend that this bill Ought to Pass. Vote 10-7. Rep. Bates spoke against.

Reps. Pearson and Hoelzel spoke in favor.

On a division vote, with 193 members having voted in the affirmative, and 142 in the negative, the committee report was adopted and ordered to third reading.

**SB 315**, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for the Majority of Executive Departments and Administration. This bill, as adopted by the Senate, is a request of the Board of Barbering, Cosmetology and Esthetics. It is essentially a housekeeping bill modifying certain definitions relevant to the professions overseen by the board. It also makes certain simplifying and facilitating changes to current license renewal provisions, and restructures the list of persons exempt from licensure requirements. The committee amendment removes the requirement for licensing shampoo assistant apprentices and removes 'shampooing' from the definitions of 'barber' and 'cosmetologist.' Vote 8-7.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill seeks to update and expand the definitions for what is included in the field of cosmetology and other professions regulated under RSA 313-A. The bill as filed also would have licensed the "profession" of shampoo assistant apprentice. The minority of the committee agreed with the changes that were made in the committee amendment, but felt that there are still issues in the Barbering and Cosmetology Practice Act that have not been addressed. Although completely unenforced, current law technically prohibits a parent from cutting the hair of their child, or even of their elderly parent, without



a license. Furthermore, the penalties for cutting someone's hair or decorating their nails without the appropriate license is a Class A misdemeanor for a person and a felony for setting up a business to provide these services. The members felt that the penalties are excessive and that adopting two other simple changes would significantly enhance the bill. The minority felt that its amendment, which allows a person who is not engaged in the profession as a primary occupation to cut the hair of their friends and family members, is in keeping with current practice and that we should align our statutes to what we believe that people should be allowed to do.

### Majority Amendment (1697h)

Amend the bill by replacing all after the enacting clause with the following:

1 Barbering, Cosmetology, and Esthetics; Definitions; Barbering. Amend RSA 313-A:1, II(c) to read as follows:

(c) [~~Shampooing~~] Arranging, dressing, or styling *the hair*.

2 Definition; Master Barber. Amend RSA 313-A:1, II-a(c) to read as follows:

(c) [~~Shampooing~~] Arranging, dressing, or dyeing the hair or applying hair tonics;

3 Definition; Cosmetology. Amend RSA 313-A:1, VI to read as follows:

VI. "Cosmetology" means arranging, dressing, curling, waving, [~~cleansing~~] cutting, bleaching, coloring, or similarly treating the hair of any person, and performing other work customarily performed by a cosmetologist such as giving facials [~~and~~], manicures, *pedicures, and artificial nail enhancements, applying makeup or eyelashes to any person, and removing superfluous hair*.

4 Definition; Esthetics. Amend RSA 313-A:1, VIII(d) to read as follows:

(d) Providing pedicure *and manicure* services, including therapeutic skin and nail care treatments for the [~~foot~~] *feet and hands*, beautifying the [~~foot~~] *feet and hands*, and massaging, cleansing, or stimulating the [~~foot~~] *feet and hands* by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, trimming or filing the [~~toenails~~] *nails*, and polishing the [~~toenail~~] *nails*.

5 Definitions; Manicuring or Pedicuring. Amend RSA 313-A:1, X to read as follows:

X. "Manicuring" or "pedicuring" means cutting, trimming, polishing, *applying artificial enhancements such as tips or acrylic to the natural nails, or* coloring or cleansing the nails of any person.

6 Board of Barbering, Cosmetology and Esthetics; Owner Member. Amend RSA 313-A:2, I to read as follows:

I. There shall be a board of barbering, cosmetology, and esthetics consisting of 7 members as follows: one licensed barber, one licensed cosmetologist, one licensed esthetician, one licensed manicurist, one owner of a licensed *barbering, cosmetology, esthetics, or manicuring* school who shall be a resident of New Hampshire or a designee of such owner who shall be a [~~licensed cosmetologist~~] *licensee* and a resident of New Hampshire, one owner of a registered tanning facility and one public member; each to be appointed by the governor with the consent of the council to a term of 5 years. No board member shall be appointed to more than 2 consecutive terms. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. Time served in filling an unexpired term shall not affect an appointee's eligibility to serve 2 consecutive full terms. Only board members provided for in this paragraph shall have the authority to vote in board determinations.

7 Temporary Permit; Expiration. Amend RSA 313-A:18, II to read as follows:

II. A temporary permit shall authorize its holder to engage temporarily in the practice of the profession for which such permit was issued under the guidance of a licensed practitioner in a registered salon or barbershop. If, upon notice from the board, the applicant fails without just cause to take the examination, the permit shall terminate. If the applicant fails to pass the examination, the board in its discretion may grant a second temporary permit, under like conditions, which permit in all circumstances shall expire [~~upon the holding of the next successive examination~~] *60 days from its issuance*, unless just cause for failure to take the examination shall be shown to the satisfaction of the board.

8 Renewal of Expired License; Late Fee. Amend RSA 313-A:20 to read as follows:

313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor, apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under this chapter shall expire on the last day of the birth month of the licensee in the even year next succeeding its date of issuance.

Any personal license which has expired may be renewed ~~[at any time during the year next following upon]~~ **within 6 months** by payment of the renewal fee ~~and a late fee~~ established by the board ~~[and an additional fee of \$5, and at any time during the next succeeding year period upon the payment of the renewal fee and an additional fee of \$10. If the holder of any license fails to renew the license within 2 years after its expiration, such license may be renewed within 5 years after expiration by paying a fee].~~ **After 6 months and within 5 years, a personal license may be renewed by paying the renewal fee and a late fee established by the board.** Any school or shop license which has expired may be renewed upon payment of the renewal fee plus a late fee established by the board.

9 Apprentice Licensure. Amend RSA 313-A:24 to read as follows:

313-A:24 Apprentice Registration **and Licensure.**

I. No person shall enter an apprenticeship or enroll in a school under this chapter unless such person has registered with the board as an apprentice **and been issued an apprentice license.** The board shall have sole authority to regulate apprentices and apprenticeship under this chapter. **The board shall issue an apprentice license to any student receiving instruction within a licensed school or shop to learn barbering, cosmetology, esthetics, or manicuring.**

II. A person applying for ~~[registration]~~ **a license** under this section shall be granted such ~~[registration]~~ **license** upon:

- (a) Submitting proof sufficient to the board to show that such person is at least 16 years of age;
- (b) ~~[Submitting 3 passport-size photographs;~~
- (c) Paying a fee established by the board; and
- ~~[(d)]~~ (c) Being deemed by the board to be of good professional character.

III. No salon or barbershop shall at any one time have more than one apprentice per licensed professional, except as follows:

- (a) Each licensed barber may have up to 2 apprentices for barbering.

(b) Each licensed master barber may have up to 2 apprentices for barbering, or one apprentice master barber and one apprentice barber.

IV. Upon completing the number of hours specified in the board's apprentice rules, an apprentice shall be eligible to apply to the board for licensure.

10 Barbering, Cosmetology, and Esthetics; Exemptions. Amend RSA 313-A:25 to read as follows:  
313-A:25 Exemptions.

~~[F.]~~ The provisions of this chapter relative to barbering, **cosmetology, esthetics, and manicuring** shall not be construed to apply to the following persons:

~~[(a)]~~ I. Physicians and surgeons licensed under RSA 329 when engaged in the practice of their profession[;].

~~[(b)]~~ II. Chiropractors licensed under RSA 316-A when engaged in the practice of their profession[;].

~~[(c)]~~ III. Commissioned medical or surgical officers of the United States army, navy, or marine hospital service[;].

~~[(d)]~~ IV. Registered and practical nurses licensed under RSA 326-B **when engaged in the practice of their profession**[;].

~~[(e)] Licensed cosmetologists or estheticians under this chapter;~~

~~[(f)] Persons engaged in the practice of barbering in public or private institutions where such practice is carried on solely for the benefit of such institution;~~

~~[(g)]~~ V. Morticians licensed under RSA 325 when engaged in the practice of their profession.

[; or

~~[(h)] Persons conducting programs for barbering demonstration sponsored by a recognized barber organization.~~

~~[H. The provisions of this chapter relative to cosmetology or esthetics shall not be construed to apply to the following persons:~~

~~[(a)] Licensed barbers engaged in their usual occupation.~~

~~[(b)]~~ VI. Persons engaged in behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for purposes of sale, without charge to the person who is the subject of such demonstration.

~~[(c)]~~ VII. Persons engaged in the practice of **barbering**, cosmetology~~[-or]~~, esthetics, **or manicuring** in a charitable or benevolent institution, **nursing home, long-term care facility, or assisted living facility** where such practice is carried on solely for the benefit of the residents of such institution.

[(d)] **VIII.** Persons conducting programs relating to demonstrations of **barbering**, cosmetology [or], esthetics, **or manicuring** sponsored by a [~~recognized cosmetological or esthetical~~] **professional** organization.

[(e)] ~~Licensed cosmetologists engaged in the practice of cosmetology upon an invalid, a person with a disability, or a person confined to the home because of age.~~

**IX. Licensees engaged in the practice of their profession upon a person who is not able to leave his or her residence because the person has a disability, limited mobility, or by reason of the person's age** in that person's place of residence.

[(f)] **X.** Persons licensed as massage therapists under RSA 328-B.

[(g)] **XI.** Persons licensed as physical therapists or physical therapist assistants under RSA 328-A and 328-F.

**XII. Persons employed as shampoo assistants in a licensed shop who perform the functions of shampooing, rinsing, and removing rollers or perm rods, and rinsing treated or untreated hair.**

11 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill modifies definitions and makes various changes to license renewal, temporary licenses, apprentice licensure, and exemptions from licensure by the board of barbering, cosmetology, and esthetics.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered minority committee amendment (1866h).

### Minority Amendment (1866h)

Amend the bill by replacing all after the enacting clause with the following:

1 Barbering, Cosmetology, and Esthetics; Definitions; Barbering. Amend RSA 313-A:1, II(c) to read as follows:

(c) [~~Shampooing,~~] Arranging, dressing, or styling **the hair**.

2 Definition; Master Barber. Amend RSA 313-A:1, II-a(c) to read as follows:

(c) [~~Shampooing,~~] Arranging, dressing, or dyeing the hair or applying hair tonics;

3 Definition; Cosmetology. Amend RSA 313-A:1, VI to read as follows:

VI. "Cosmetology" means arranging, dressing, curling, waving, [~~cleansing,~~] cutting, bleaching, coloring, or similarly treating the hair of any person, and performing other work customarily performed by a cosmetologist such as giving facials [~~and~~], manicures, **pedicures, and artificial nail enhancements, applying makeup or eyelashes to any person, and removing superfluous hair.**

4 Definition; Esthetics. Amend RSA 313-A:1, VIII(d) to read as follows:

(d) Providing pedicure **and manicure** services, including therapeutic skin and nail care treatments for the [~~foot~~] **feet and hands**, beautifying the [~~foot~~] **feet and hands**, and massaging, cleansing, or stimulating the [~~foot~~] **feet and hands** by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, trimming or filing the [~~toenails~~] **nails**, and polishing the [~~toenail~~] **nails**.

5 Definitions; Manicuring or Pedicuring. Amend RSA 313-A:1, X to read as follows:

X. "Manicuring" or "pedicuring" means cutting, trimming, polishing, **applying artificial enhancements such as tips or acrylic to the natural nails**, or coloring or cleansing the nails of any person.

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I. There shall be a board of barbering, cosmetology, and esthetics consisting of 7 members as follows: one licensed barber, one licensed cosmetologist, one licensed esthetician, one licensed manicurist, one owner of a licensed **barbering**, cosmetology, **esthetics, or manicuring** school who shall be a resident of New Hampshire or a designee of such owner who shall be a [~~licensed cosmetologist~~] **licensee** and a resident of New Hampshire, one owner of a registered tanning facility and one public member; each to be appointed by the governor with the consent of the council to a term of 5 years. No board member shall be appointed to more than 2 consecutive terms. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. Time served in filling an unexpired term shall not affect an appointee's eligibility to serve 2 consecutive full terms. Only board members provided for in this paragraph shall have the authority to vote in board determinations.

7 Temporary Permit; Expiration. Amend RSA 313-A:18, II to read as follows:

II. A temporary permit shall authorize its holder to engage temporarily in the practice of the profession for which such permit was issued under the guidance of a licensed practitioner in a registered salon or barbershop. If, upon notice from the board, the applicant fails without just cause to take the examination, the permit shall terminate. If the applicant fails to pass the examination, the board in its discretion may grant a second temporary permit, under like conditions, which permit in all circumstances shall expire ~~[upon the holding of the next successive examination]~~ **60 days from its issuance**, unless just cause for failure to take the examination shall be shown to the satisfaction of the board.

8 Renewal of Expired License; Late Fee. Amend RSA 313-A:20 to read as follows:

313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor, apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under this chapter shall expire on the last day of the birth month of the licensee in the even year next succeeding its date of issuance. Any personal license which has expired may be renewed ~~[at any time during the year next following upon]~~ **within 6 months** by payment of the renewal fee ~~and a late fee~~ established by the board ~~[and an additional fee of \$5, and at any time during the next succeeding year period upon the payment of the renewal fee and an additional fee of \$10. If the holder of any license fails to renew the license within 2 years after its expiration, such license may be renewed within 5 years after expiration by paying a fee].~~ **After 6 months and within 5 years, a personal license may be renewed by paying the renewal fee and a late fee established by the board.** Any school or shop license which has expired may be renewed upon payment of the renewal fee plus a late fee established by the board.

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313-A:24 Apprentice Registration **and Licensure**.

I. No person shall enter an apprenticeship or enroll in a school under this chapter unless such person has registered with the board as an apprentice **and been issued an apprentice license**. The board shall have sole authority to regulate apprentices and apprenticeship under this chapter. **The board shall issue an apprentice license to any student receiving instruction within a licensed school or shop to learn barbering, cosmetology, esthetics, or manicuring.**

II. A person applying for ~~[registration]~~ **a license** under this section shall be granted such ~~[registration]~~ **license** upon:

- (a) Submitting proof sufficient to the board to show that such person is at least 16 years of age;
- (b) ~~[Submitting 3 passport-size photographs;~~
- (c) Paying a fee established by the board; and
- ~~[(d)]~~ (c) Being deemed by the board to be of good professional character.

III. No salon or barbershop shall at any one time have more than one apprentice per licensed professional, except as follows:

- (a) Each licensed barber may have up to 2 apprentices for barbering.
- (b) Each licensed master barber may have up to 2 apprentices for barbering, or one apprentice master barber and one apprentice barber.

IV. Upon completing the number of hours specified in the board's apprentice rules, an apprentice shall be eligible to apply to the board for licensure.

10 Barbering, Cosmetology, and Esthetics; Exemptions. Amend RSA 313-A:25 to read as follows:

313-A:25 Exemptions.

~~[F.]~~ The provisions of this chapter relative to barbering, **cosmetology, esthetics, and manicuring** shall not be construed to apply to the following persons:

- ~~[(a)]~~ I. Physicians and surgeons licensed under RSA 329 when engaged in the practice of their profession[;].
- ~~[(b)]~~ II. Chiropractors licensed under RSA 316-A when engaged in the practice of their profession[;].
- ~~[(c)]~~ III. Commissioned medical or surgical officers of the United States army, navy, or marine hospital service[;].
- ~~[(d)]~~ IV. Registered and practical nurses licensed under RSA 326-B **when engaged in the practice of their profession**[;].

~~[(e) Licensed cosmetologists or estheticians under this chapter;~~  
~~(f) Persons engaged in the practice of barbering in public or private institutions where such practice is carried on solely for the benefit of such institution;~~  
~~(g) V. Morticians licensed under RSA 325 when engaged in the practice of their profession.~~  
 [; or

~~(h) Persons conducting programs for barbering demonstration sponsored by a recognized barber organization.~~

~~[H. The provisions of this chapter relative to cosmetology or esthetics shall not be construed to apply to the following persons:~~

~~(a) Licensed barbers engaged in their usual occupation.~~

~~(b) VI. Persons engaged in behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for purposes of sale, without charge to the person who is the subject of such demonstration.~~

~~[(c) VII. Persons engaged in the practice of *barbering*, cosmetology[~~-or~~], esthetics, or *manicuring* in a charitable or benevolent institution, *nursing home, long-term care facility, or assisted living facility* where such practice is carried on solely for the benefit of the residents of such institution.~~

~~[(d) VIII. Persons conducting programs relating to demonstrations of *barbering*, cosmetology [or], esthetics, or *manicuring* sponsored by a [recognized cosmetological or esthetical] professional organization.~~

~~[(e) Licensed cosmetologists engaged in the practice of cosmetology upon an invalid, a person with a disability, or a person confined to the home because of age.]~~

*IX. Licensees engaged in the practice of their profession upon a person who is not able to leave his or her residence because the person has a disability, limited mobility, or by reason of the person's age in that person's place of residence.*

~~[(f) X. Persons licensed as massage therapists under RSA 328-B.~~

~~[(g) XI. Persons licensed as physical therapists or physical therapist assistants under RSA 328-A and 328-F.~~

*XII. Persons employed as shampoo assistants in a licensed shop who perform the functions of shampooing, rinsing, and removing rollers or perm rods, and rinsing treated or untreated hair.*

*XIII. A person providing services of barbering, cosmetology, esthetics, or manicuring to friends and family members when the person does not provide such services as his or her primary occupation.*

11 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill modifies definitions and makes various changes to license renewal, temporary licenses, apprentice licensure, and exemptions from licensure by the board of barbering, cosmetology, and esthetics.

Rep. Peter Schmidt spoke against.

Rep. Hoell spoke in favor and requested a roll call; not sufficiently seconded.

On a division vote, with 163 members having voted in the affirmative, and 166 in the negative, the minority committee amendment failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

#### MOTION TO SUSPEND HOUSE RULES

Rep. Hoell moved that House Rules be so far suspended as to allow consideration of floor amendment (1864h) that will require a second committee past the deadline.

Rep. Hoell spoke in favor.

Rep. Tholl spoke against.

On a division vote, with 111 members having voted in the affirmative, and 218 in the negative, the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Andrew Christie yielded to questions.

On a division vote, with 209 members having voted in the affirmative, and 131 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 396**, relative to compatibility of electrical devices with the National Electric Code and the state building code. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Beaudoin for Executive Departments and Administration. Certain power tools, appliances, medical equipment, high efficiency refrigerators, and even some newer light bulbs will cause arc fault circuit interrupters (AFCI), a safety device in electrical systems, to falsely sense an arc within the circuit causing nuisance tripping and unnecessary interruption of power. This bill would prohibit the sale of equipment that is incompatible with AFCIs within the state of NH. The majority felt that the manufacturers of AFCIs should be designing their devices to be compatible with existing appliances, not the other way around. The majority of the committee felt that in the rare cases that this happens, most manufacturers, instead of entering into a costly redesign of their product, would simply pull their equipment from the relatively small NH market. Since the House has already passed HB 533 that addresses this issue in a different manner, this bill is unnecessary. Vote 10-5.

Committee report adopted.

**SB 421**, relative to liability of governmental units. **REFER FOR INTERIM STUDY.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill makes a number of substantive as well as “housekeeping” changes to RSA 507-B as it relates to immunity provisions for governmental units at the municipal, county and state level. The majority of the committee expressed concerns over such provisions as adding language concerning programs for pooled risks into this statute when these are authorized and governed under RSA 5-B sufficiently. In addition, the majority felt that this bill was not ready for prime time at this point as it continues to make reference to work that should have been concluded in 1979. Lastly, those who testified on the bill noted that the content was the compromise between plaintiff and defense attorneys and acknowledged that there was more to be done on the matter of liability of governmental units. The majority of the ED&A Committee felt it prudent that further work be done to come to more universal consensus on this topic. Vote 9-5.

Committee report adopted.

**SB 452-FN**, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill requires state agencies, including but not limited to, the Department of Environmental Services, the Department of Resources and Economic Development, the Department of Transportation, and the Fish and Game Department to conduct an audit of state laws, rules, and agency policies in the NH coastal regions, in order to be better prepared for flood risks arising from natural events. Some of these agencies are already engaged in this work as part of their ongoing mission. The bill further permits the planning of a well-coordinated response to such prospective events. Vote 9-6.

On a division vote, with 206 members having voted in the affirmative, and 115 in the negative, the committee report was adopted and ordered to third reading.

**CACR 27**, relating to the operating budget. Providing that the state shall not spend more from any fund than such fund receives in revenue, nor use the proceeds of any bond to fund its annual operating expenditures. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Neal Kurk for the Majority of Finance. As amended by the committee, this CACR provides that, in any budget period, the state shall not spend more on operating budget expenses than it receives in revenues, plus any surplus from the preceding budget period, or use the proceeds of any indebtedness to fund its operating expenses. The CACR further provides that the spending cap may be overridden by a two-thirds vote of both House and Senate, which may occur whenever the legislature wishes. While there are comparable provisions in current state statute, they relate largely to budgets and appropriations, not actual spending. Moreover, those statutory provisions may be changed at any time by majority vote or by subsequent contrary legislation, such as an out-of-balance budget. A constitutional provision is different. The majority of the committee believes that this constitutional amendment appropriately sets into our basic governing document the value of financial prudence shared by our state’s citizens. Vote 15-11.

Rep. Marjorie Smith for the Minority of Finance. The minority believes that while the concept reflected in CACR 27 is worthy of consideration, the language of the amendment is unworkable. The language specifies “spend,” not “Plan to spend.” When would the vote be held; would it

be monthly, or annually, or when the audit is completed, or when the Comprehensive Annual Financial Report is presented to the fiscal committee? Would it be the legislative or the executive branch that called for the vote? Would this amendment open the door for judicial involvement in the budget process? For these and related issues the minority believes that CACR 27 should be referred for Interim Study.

### **Majority Amendment (1870h)**

Amend the title of the resolution by replacing it with the following:

**RELATING TO:** the operating budget.

**PROVIDING THAT:** the state shall not spend more on operating budget expenses than it receives in revenues plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures.

Amend the resolution by replacing paragraph I with the following:

I. That the second part of the constitution be amended by inserting after article 6-b the following new article:

[Art.] 6-c [Balanced Budget.] The state shall not, without an affirmative vote of two-thirds of the total number of representatives apportioned under part 2, article 9 and of the total number of senators allocated by part 2, article 25, either spend more on operating expenses in any budget period than it receives in revenues, plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund, directly or indirectly, its operating expenditures.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending the second part of the constitution by inserting after article 6-b a new article to read as follows:

[Art.] 6-c [Balanced Budget.] The state shall not, without an affirmative vote of two-thirds of the total number of representatives apportioned under part 2, article 9 and of the total number of senators allocated by part 2, article 25, either spend more on operating expenses in any budget period than it receives in revenues, plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund, directly or indirectly, its operating expenditures.”

### **AMENDED ANALYSIS**

This constitutional amendment concurrent resolution provides that the state may not spend more on operating expenses than it receives in revenues plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund operating expenses.

Rep. Marjorie Smith spoke against and yielded to questions.

Rep. Kurk spoke in favor.

On a division vote, with 185 members having voted in the affirmative, and 125 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Marjorie Smith spoke against and yielded to questions.

Rep. William O'Brien spoke in favor.

Rep. Sanborn requested a roll call; sufficiently seconded.

### **YEAS 201 NAYS 139**

#### **YEAS - 201**

#### **BELKNAP**

Aldrich, Glen  
Fisher, Robert  
Hurt, George  
Fraser, Valerie

Dumais, Russell  
Flanders, Donald  
LeBreche, Shari  
Varney, Peter

Tilton, Franklin  
Gallagher, Brian  
Spanos, Peter

Fields, Dennis  
Howard, Raymond  
Sylvia, Michael

#### **CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Tilton, Benjamin  
Sterling, Franklin

Emerson, Susan

Hunt, John

McConnell, James

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Ladd, Rick

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Burt, John  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Gould, Linda  
Hinch, Richard  
Belanger, James  
Ober, Lynne  
McLean, Mark  
Ohm, Bill  
Proulx, Mark  
Rowe, Robert  
Seidel, Carl  
Straight, Phillip  
Sullivan, Victoria

Ammon, Keith  
Biggie, Barbara  
Byron, Frank  
Donovan, Daniel  
Ferreira, Elizabeth  
Gagne, Larry  
Goulette, William  
Hogan, Edith  
Rice, Kimberly  
Lachance, Joseph  
Murotake, David  
Parison, James  
Christie, Rick  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene  
O'Brien, William

Griffin, Barbara  
Boehm, Ralph  
Christensen, Chris  
Eastman, Eric  
Flanagan, Jack  
Gargas, Carolyn  
Haefner, Robert  
Hopper, Gary  
Kurk, Neal  
LeBrun, Donald  
Murphy, Keith  
Pellegrino, Anthony  
Ober, Russell  
Schleien, Eric  
Souza, Kathleen  
Twombly, Timothy  
Wolf, Terry

Balcom, John  
Bouldin, Amanda  
Coffey, James  
Edelblut, Frank  
Fromuth, Bart  
Gonzalez, Carlos  
Hansen, Peter  
Infantine, William  
Christiansen, Lars  
Marston, Dick  
Notter, Jeanine  
Peterson, Ken  
Rouillard, Claire  
Scontsas, Lisa  
Stepanek, Stephen  
Ulery, Jordan  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
French, Harold  
Horn, Werner  
Martin, John

McGuire, Carol  
Hess, David  
Kotowski, Frank  
Seaworth, Brian

Long, Douglas  
Hill, Gregory  
Kuch, Bill  
Walsh, Thomas

McGuire, Dan  
Hoell, J.R.  
Marple, Richard

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Chase, Francis  
Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Katsakiores, Phyllis  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Schroadter, Adam  
Vose, Michael

Abrami, Patrick  
Barnes, Arthur  
Cook, Allen  
Duarte, Joe  
Rice, Frederick  
Green, Dennis  
Hodgdon, Bruce  
Sweeney, Joe  
Kolodziej, Walter  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Webb, James

Abramson, Max  
Bates, David  
Thomas, Douglas  
Elliott, Robert  
Ferrante, Beverly  
Guthrie, Joseph  
Hoelzel, Kathleen  
Ward, Joanne  
Griffin, Mary  
Milz, David  
Packard, Sherman  
Gordon, Richard  
Sytek, John  
Welch, David

Azarian, Gary  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Fesh, Robert  
Hagan, Joseph  
Introne, Robert  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Tilton, Rio  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Leeman, Don

Bickford, David  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt



**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 139****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**Abbott, Michael  
Chase, Cynthia  
Parkhurst, Henry  
Sad, TaraAmes, Richard  
Eaton, Daniel  
Pearson, William  
Shepardson, MarjorieBerch, Paul  
Ley, Douglas  
Phillips, Larry  
Tatro, BruceBordenet, John  
Mann, John  
Robertson, Timothy  
Weber, Lucy**COOS**

Froburg, Alethea

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

**GRAFTON**Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Sykes, GeorgeAlmy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, CharlesBennett, Travis  
Hennessey, Martha  
Piper, Wendy  
White, AndrewCooney, Mary  
Maes, Kevin  
Smith, Suzanne**HILLSBOROUGH**Baroody, Benjamin  
Cornell, Patricia  
Gidge, Kenneth  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
Long, Patrick  
Rosenwald, Cindy  
Smith, TimothyBooras, Efstathia  
Cote, David  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter  
McNamara, Richard  
Pierce, David  
Shaw, Barbara  
Vann, IvyRoberts, Carol  
DiSilvestro, Linda  
Gorman, Mary  
Heath, Mary  
O'Brien, Michael  
O'Neil, William  
Porter, Marjorie  
Snow, Kendall  
Williams, KermitCohen, Alan  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Mangipudi, Latha  
Brown, Pamela  
Walsh, Robert  
Soucy, Timothy  
Woodbury, David**MERRIMACK**Turcotte, Alan  
Carson, Clyde  
Gile, Mary  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary JaneFrench, Barbara  
Deloge, Helen  
Henle, Paul  
Kidder, David  
Myler, Mel  
Saunderson, George  
Wheeler, DeborahBartlett, Christy  
Doherty, David  
Frazer, June  
Luneau, David  
Patten, Dick  
Schuett, DianneBradley, Paula  
Ebel, Karen  
Karrick, David  
MackKay, James  
Ratzki, Mario  
Shurtleff, Stephen**ROCKINGHAM**Berrien, Skip  
Cushing, Robert  
Ward, Gerald  
Gordon, PamelaBorden, David  
DiFranco, Debbie  
Heffron, Frank  
Pantelakos, LauraCahill, Michael  
Edgar, Michael  
Lovejoy, Patricia  
Sherman, ThomasCali-Pitts, Jacqueline  
Francesca, Paula  
McBeath, Rebecca  
Simpson, Alexis**STRAFFORD**Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Spang, JudithBerube, Roger  
DiSesa, Len  
Smith, Marjorie  
Treleaven, SusanBixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Verschuere, JamesBurton, Wayne  
Ward, Kenneth  
Rollo, Deanna  
Wall, Janet**SULLIVAN**Cloutier, John  
Irwin, VirginiaConverse, Larry  
O'Heame, AndrewGagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne

and the majority committee report failed lacking the necessary three-fifths vote.

**MOTION TO LAY ON THE TABLE**

Rep. Kurk moved that **CACR 27**, relating to the operating budget. Providing that the state shall not spend more on operating budget expenses than it receives in revenue plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures, be laid on the table.

Motion adopted.

**REGULAR CALENDAR CONT'D**

**SB 368-FN-A**, making a capital appropriation for department of environmental services monitoring equipment. **OUGHT TO PASS.**

Rep. J. Tracy Emerick for Finance. This bill appropriates \$260,000 of unused capital funds for the purchase and installation of new and repair of existing monitoring equipment for the Piscataqua, Great Bay and Hampton estuaries. State water monitoring is advantageous to the state over data collected by the EPA, so such EPA data may be verified, or not. Vote 26-0.

Committee report adopted and ordered to third reading.

**SB 406-FN**, relative to classification of certain state employee positions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. The bill as it passed the House changed the labor classifications of certain state employee positions. This committee amendment does two things: it funds the purchase of full-body scanners and modifies funds transfer authority for the Liquor Commission. Both were the subject of hearings on non-germane amendments. Full-body scanners are being purchased to deal with the increase in drugs and other contraband being smuggled into state prisons and county jails, with three slated for the Concord men's prison, two for the Berlin prison and one for the women's prison, at a cost of \$1.1 million. An additional \$740,000 is appropriated for 50% grants to counties to purchase body scanners for their correctional facilities. The language modification for the Liquor Commission allows operating funds transfers up to \$75,000 (the same as all state departments) on a non-cumulative basis. Presently, the transfers are managed on a cumulative basis. Vote 16-0.

**Amendment (1801h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to classification of certain state employee positions and relative to the liquor commission.

Amend the bill by replacing all after section 2 with the following:

3 Liquor Commission; Transfer of Funds Within Operating Budget. Amend RSA 176:16, V to read as follows:

V. The commissioner is authorized to transfer funds within and among all accounting units within the commission's operating budget and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the liquor commission. Any *individual* transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and governor and council, *and any determination of this prior approval requirement shall not be determined on a cumulative basis*. The provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.

4 Appropriation; Department of Corrections; Scanners for State Correctional Facilities. In addition to any other funds appropriated to the department of corrections, the sum of \$1,110,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department for the purchase and installation of 6 full body security scanners in the state correctional facilities. Three of the scanners shall be installed in the state prison for men in Concord, 2 scanners shall be installed in the northern New Hampshire correctional facility in Berlin, and one scanner shall be installed in the new state prison for women. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 New Section; State Prisons; Security Screening. Amend RSA 622 by inserting after section 6 the following new section:

622:6-a Security Screening Required. All individuals entering a state correctional facility, including but not limited to visitors, state officials, employees, contractors, and vendors, shall be subject to a security screening using a full body security scanner. The full body security scanners shall be

installed and operated in a manner that enables the detection of contraband but does not display or record an image of an individual's private body parts. With the exception of images that show contraband and are needed as evidence for prosecution, no image may be copied, duplicated, or retained for more than 24 hours.

6 Appropriation; Department of Justice; Scanners for County Correctional Facilities. In addition to any other funds appropriated to the department of justice, the sum of \$740,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department for the purpose of providing grants to the counties for up to 50 percent of the cost of one full body scanner for each county correctional facility in New Hampshire that does not have such a scanner as of the effective date of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

7 Effective Date.

I. Section 3 of this act shall take effect upon its passage.

II. Sections 4, 5, and 6 of this act shall take effect July 1, 2016.

III. The remainder of this act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill:

I. Adds the following positions to the unclassified salary schedule: administrator of the site evaluation committee, deputy commissioner of the liquor commission, deputy commissioner of the department of information technology, and executive director of the office of professional licensure and certification.

II. Changes the salary classification of the chairman of the liquor commission, executive assistant to the adult parole board, chief information security officer, commandant of the state veterans home, the deputy director of the division of motor vehicles, and the executive director of the judicial council.

III. Clarifies when prior approval by the fiscal committee and governor and council is required for the liquor commissioner to transfer funds within accounting units.

IV. Makes appropriations to the department of corrections to purchase 6 full body scanners for use in state correctional facilities and to the department of justice to administer grants to counties to offset a portion of the cost of full body scanners for county correctional facilities.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 464-FN-A**, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account.

### **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Danielson for Finance. This bill establishes a drug court program or an alternative drug offender program and makes a \$2.23 million appropriation therefor. An alternative drug offender program means a program offered by a county as an alternative to operating a drug court for non-violent offenders, including diversion programs and programs utilizing intensive probation, random drug testing and evidence-based cognitive therapy. It specifies the use of "best practices" as based on research-based, specific practitioner-focused drug court guidance published by the National Association of Drug Court Professionals. It also establishes the position of the drug offender program coordinator within the administrative office of the superior court. This bill uses the definition of drug courts as already established in state law. Under the guidance and approval of the Chief Justice of the Superior Court, the coordinator will develop draft policies and procedures for both types of programs, will measure recidivism rates and other outcome measures, will evaluate on-going compliance with relevant standards and will assist staff who are creating either drug courts or alternative drug offender programs and will assist counties with relevant training. A maximum amount of money has been established for counties based on size. The size refers to the actual number of cases heard in the superior court(s) in that county and not to population of the county. A minimum grant will be 50 percent up to \$245,000 per year for large counties, \$150,000 per year for medium counties, \$100,000 for small counties. Counties that have implemented felonies first will be eligible for a state-funded drug court up to the maximum of \$490,000 per year for large counties, \$300,000 per year for medium counties and \$200,000 for small counties. Counties which wish to have larger drug courts or drug alternative programs than provided by these grants may contribute to the costs. The application process for establishing either program is specified in the bill. Reporting on each of these programs will be done annually and such reports

will be made available on the legislative budget assistant's website annually. Should reporting not be completed, funding will cease until mandated reports are received. Funding for FY 17 is provided in the bill. This amendment also adds \$40 million of revenues in excess of budget estimates to the 'Rainy Day' fund at the end of FY 16. Vote 26-0.

### **Amendment (1853h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account.

Amend the bill by replacing all after the enacting clause with the following:

1 Chapter Title; Drug Courts and Alternative Drug Offender Grant Program. Amend the chapter heading of RSA 490-G to read as follows:

#### **CHAPTER 490-G**

#### **DRUG COURTS AND ALTERNATIVE DRUG OFFENDER GRANT PROGRAM**

2 New Subdivision; Drug Offender Grant Program. Amend RSA 490-G by inserting after section 2 the following new subdivision:

#### **Drug Offender Grant Program**

490-G:3 Definitions. In this subdivision:

I. "Alternative drug offender program" means a program offered by a county as an alternative to operating a drug court for non-violent offenders including diversion programs and programs utilizing intensive probation, random drug testing, and evidence-based cognitive therapy.

II. "Best practices" means research-based, specific, practitioner-focused drug court guidance published by the National Association of Drug Court Professionals. For alternative drug offender programs, best practices include evidence-based programs which divert non-violent offenders out of the criminal justice system or utilize intensive probation supervision, sanctions, and behavior therapy to address behavior.

III. "Office" means the office of drug offender program coordinator within the administrative office of the superior court.

IV. "Drug court" means drug courts as described in RSA 490-G:1 and RSA 490-G:2.

490-G:4 Grant Program Created.

I. There is established a statewide drug offender grant program which shall provide state matching funds as appropriated to support drug courts or alternative drug offender programs in state superior court districts. The grant program shall be available to counties operating either a drug court or an alternative drug offender program prior to the effective date of this section, and to counties that have not yet implemented a drug court or an alternative drug offender program. A county shall be eligible for a drug court or an alternative drug offender grant, but not both. Beginning in fiscal year 2018, the statewide drug offender grant program shall continue as long as it is funded through appropriations in the state operating budget.

II. There is established the office of drug offender program coordinator within the administrative office of the superior court. The office shall be responsible for developing an application process by which counties may apply for a state grant and evaluating the operating drug courts and alternative drug offender programs. Subject to approval of the chief justice of the superior court, the office shall:

(a) Determine approval requirements including the New Hampshire drug court and alternative drug offender program approval checklists. Prior to accepting applications for grants, the approval checklists shall be posted on the judicial branch website. The checklists shall be updated on the website as revisions are made.

(b) Establish and periodically update best practices for operating drug courts and alternative drug offender programs.

(c) Develop draft policies and procedures including a participant handbook, program outline, and implementation plan.

(d) Measure recidivism rates and other outcome measures.

(e) Evaluate compliance with relevant standards

(f) Assist in creating drug courts or alternative drug offender programs in counties seeking to implement or continue either of them.

(g) Assist counties in obtaining ongoing training.

III. A county operating a drug court or alternative drug offender program which is not funded by the judicial branch pursuant to RSA 592-B:9, or which seeks to establish such a program, may be eligible for a state grant which shall pay 50 percent of the cost up to the amounts indicated in RSA 490-G:5, I from funds administered by the administrative office of the superior court. The remaining cost shall be funded by the county.

490-G:5 Eligibility for Grants.

I. For the purpose of grants, the superior court districts of each county shall be grouped into 3 categories: small, medium, and large, based on the number of court filings in each district and subject to annual review by the chief justice of the superior court. Coos, Carroll, and Sullivan counties shall initially be categorized as small. Grafton, Belknap, and Cheshire counties shall initially be categorized as medium. The districts of Hillsborough county superior court north and Hillsborough county superior court south, and Strafford, Merrimack, and Rockingham counties shall initially be categorized as large. Subject to available state appropriations, large counties and districts shall each be eligible for a grant of up to \$245,000 per year; medium counties shall each be eligible for a grant of up to \$150,000 per year; and small counties shall each be eligible for a grant of up to \$100,000 per year. Grants shall be awarded based on the date of program approval on a first-come, first-served basis, but shall not be retroactive. Counties may apply for grants during the year and grants may be prorated for a portion of the year for the number of months the grant will be in effect for that year. Grants shall not be prorated based on the amount of appropriation available. Any state drug offender grant program funds which are not expended by a county at the end of the county's fiscal year shall be returned to the judicial branch administrative office of the superior court for deposit in the state general fund.

II. To be eligible for a state grant, a county operating either a drug court or an alternative drug offender program which is not funded by the judicial branch pursuant to RSA 592-B:9 shall receive a recommendation for approval from the office. Grants shall be paid by the administrative office of the superior court following receipt of recommendation by the office and final approval of the chief justice of the superior court. The office shall determine how often approval shall be required and the office shall recommend subsequent grants when the currently operating drug court or alternative drug offender program establishes compliance with the New Hampshire drug court or alternative drug offender program approval checklist as promulgated by the office.

III. A county without a drug offender program which seeks to implement either a drug court or an alternative drug offender program shall first apply for a federal grant for the purpose of establishing a program. A county shall be required to apply for a federal grant only once. Any county that applied for a federal grant before the effective date of this section shall not be required to apply again. In the event the county is awarded a federal grant, or any other grant from a nonprofit organization, designed to fund a drug court or alternative drug offender program, the county shall be eligible for a state grant only after the federal or other nonprofit grant has expired. If the county does not receive a federal or other nonprofit grant for which it applied, then it shall be eligible to apply for a state grant.

IV. (a) A county seeking to implement either a drug court or an alternative drug offender program may obtain a state grant for the purpose of establishing a program after satisfying the conditions in paragraph III. To obtain a state grant, a county shall:

- (1) Submit a budget for the total cost of the program to the office for review;
- (2) Obtain from the office draft policies and procedures, including a participant handbook or program outline and implementation plan, which the county may amend and return to the office for consideration and approval;
- (3) Obtain and complete drug offender program training as approved by the office; and
- (4) Based on the information provided in subparagraphs (1)-(3), the office shall recommend programs for final approval of the chief justice of the superior court.

(b) If the county's proposed program and required documentation is approved, the county shall receive the grant amount of 50 percent of the approved budget up to the amounts indicated in RSA 490-G:5, I for one year.

(c)(1) An alternative drug offender program may be established either separately or jointly with another county for high risk, and high or moderate need offenders. The grant amount available to counties applying jointly shall be the sum of the amounts each county would be eligible for separately. The alternative drug offender program developed shall be evidence-based, cost effective, and shall employ the use of an evidence-based risk/need assessment to determine

participant eligibility. For counties to be eligible for a state grant, they shall obtain approval from the office of the drug offender program coordinator. Alternative drug offender programs shall comply with the requirements of subparagraph (a).

(2) Before obtaining a state grant, a county shall apply for federal grants that may be applicable for the alternative drug offender program. If denied, the county may be eligible for the state grant pursuant to the conditions of this section. If the county obtains a federal grant, it becomes eligible for the state grant only after the federal grant has been exhausted. The county shall be required to apply for a federal grant only once.

(d) To receive funding for subsequent years, the county shall obtain approval from the office. The office shall determine how often approval shall be required. Subject to final approval by the chief justice of the superior court, the office shall grant approval if the county:

(1) Establishes compliance with the New Hampshire alternative drug offender program approval checklist as promulgated by the office; and

(2) Provides a complete accounting of program activities, expenditures, and outcome measures for the past year including, but not limited to, the number of participants, number of graduates, and the number of recidivists; and

(3) Establishes that the program is cost effective.

V. The judicial branch administrative office of the superior court is authorized to expend from appropriated sums the amounts necessary to fund the grants certified by the office.

490-G:6 Report. Beginning with a report due on or before January 1, 2018, the office of drug offender program coordinator shall prepare an annual report on the activities, expenditures, and outcome measures for the drug offender grant program, and the operation of drug courts or alternative drug offender programs. The report shall include the information provided by each county and shall be presented by state superior court district and on a statewide basis. The report shall be forwarded to the speaker of the house of representatives, the president of the senate, and the office of the legislative budget assistant to be posted on the website of the office of the legislative budget assistant. If the required report is not provided by January 30 in any year, the drug courts and alternative drug offender grant program shall be suspended until such report is provided.

3 New Section; Criminal Procedure in Superior Court. Amend RSA 592-B by inserting after section 8 the following new section:

592-B:9 Drug Courts or Alternative Drug Offender Programs.

I.(a) In any county that has implemented or which will implement the felonies first project established in this chapter within one year of commencing operation of a drug court or alternative drug offender program, the judicial branch shall fund and operate an approved drug court or alternative drug offender program separate from the statewide drug offender grant program established in RSA 490-G, and at no cost to the county.

(b) Before the judicial branch funds and operates a drug court or alternative drug offender program in any county under subparagraph (a), the county shall have first applied for a federal grant for the purpose of establishing a program. A county shall be required to apply for a federal grant only once. Any county that applied for a federal grant before the effective date of this section shall not be required to apply again. In the event the county is awarded a federal grant, or any other grant from a nonprofit organization, designed to fund a drug court or alternative drug offender program, the judicial branch shall fund and operate a drug court or alternative drug offender program only after the federal or other nonprofit grant has expired. If the county does not receive a federal or other nonprofit grant for which it applied, the drug court or alternative drug offender program shall commence operation.

(c) The cost of the drug court or alternative drug offender program shall not exceed \$490,000 per judicial district in a large county, \$300,000 in a medium county, and \$200,000 in a small county, based on the number of court filings in each judicial district and subject to annual review by the chief justice of the superior court.

II. A county in which the judicial branch is funding and operating an approved drug court or alternative drug offender program separate from the statewide drug offender grant program established in RSA 490-G:4 shall not be eligible to receive funds under the statewide grant offender program.

4 Appropriation; Judicial Branch; Drug Offender Grant Program and Operation of Drug Courts and Alternative Drug Offender Programs.

I. The sum of \$2,070,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the judicial branch, for the purpose of funding the drug offender grant program certified by the office of the drug offender program coordinator under RSA 490-G, and the operation of drug courts and alternative drug offender programs under RSA 592-B:9. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of \$160,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the judicial branch, for the purpose of hiring a state program coordinator and funding operating expenses under RSA 490-G for the drug offender grant program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Transfer to Revenue Stabilization Reserve Account. Notwithstanding any provision of law to the contrary, to the extent combined unrestricted general and education trust fund revenues for the fiscal year ending June 30, 2016 as determined by the official audit performed pursuant to RSA 21-I:8, II(a) exceed the official estimates, an amount not to exceed \$40,000,000 of said excess shall immediately be transferred by the comptroller to the revenue stabilization fund established in RSA 9:13-e.

6 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Establishes the statewide drug offender grant program administered by the office of drug offender program coordinator and makes appropriations therefor. Grants are paid by the administrative office of the superior court to counties meeting the requirements.

II. Appropriates funds to the judicial branch for the purpose of funding the drug offender grant program.

III. In counties which have implemented or will implement the felonies first project, provides funding for the operation of a drug court or alternative drug offender program.

IV. Provides for a transfer of excess revenues to the revenue stabilization reserve account.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Dan McGuire offered floor amendment (1906h).

### Floor Amendment (1906h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the state retirement system to reduce the unfunded accrued liability.

Amend the bill by replacing section 5 with the following:

5 Transfer to Retirement System; Unfunded Liability. Notwithstanding any provision of law to the contrary, to the extent combined unrestricted general and education trust fund revenues for the fiscal year ending June 30, 2016 as determined by the official audit performed pursuant to RSA 21-I:8, II(a) exceed the official estimates, an amount not to exceed \$40,000,000 of said excess shall immediately be paid to the board of trustees of the New Hampshire retirement system and dedicated to reducing the retirement system's unfunded accrued liability, determined under RSA 100-A:16, II, proportionally for each member classification.

### AMENDED ANALYSIS

This bill:

I. Establishes the statewide drug offender grant program administered by the office of drug offender program coordinator and makes appropriations therefor. Grants are paid by the administrative office of the superior court to counties meeting the requirements.

II. Appropriates funds to the judicial branch for the purpose of funding the drug offender grant program.

III. In counties which have implemented or will implement the felonies first project, provides funding for the operation of a drug court or alternative drug offender program.

IV. Provides for a transfer of excess revenues to the state retirement system to reduce the unfunded accrued liability.

Rep. Dan McGuire spoke in favor.

Rep. Lynne Ober spoke against.

The Speaker ruled floor amendment (1906h) non-germane and out of order.

Committee report adopted and ordered to third reading.

**SB 466-FN**, relative to the detention of youthful offenders at the youth development center. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank Byron for the Majority of Finance. This bill as amended provides, commencing July 1, 2016, for the detention of court adult-certified offenders under the age of 18 at the Sununu Youth Service Center (SYSC) until reaching the age of 18 in response to the Federal Prison Elimination Act when they will be transferred to the adult correctional facility. To deal with the inability of SYSC to meet its budgeted appropriations, the committee amended the bill to eliminate \$1 million of required reductions for FY 2016 but made no change in its required reductions for FY 2017. The amended bill also establishes a working group on juvenile justice services under the DHHS Commissioner composed of various appointed members to study alternative replacement services for children, development of a small, secure facility, a detailed accounting of the SYSC census and the development of a SYSC staffing plan for approximately 30 residents. Further required is the study and development of a plan to address the rise in judicial override orders for juveniles who are evaluated as not posing a risk to the public yet are instead sent to the SYSC for detention. Vote 25-1.

Rep. Katherine Rogers for the Minority of Finance. The minority supports this bill as amended by the committee with an additional amendment. The additional amendment would add language tasking the "working group" with examining impacted workers should either closure of the Sununu Center or substantial staff reduction of the center result from the group's recommendations. Plans impacting workers would ensure state employees are supported in any transition with worker relocation benefits, retraining and job placement support. Our employees are as much a valued resource as the building and should be treated as such.

#### **Majority Amendment (1824h)**

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. Amend 2015, 276:205 to read as follows:

276:205 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by [~~\$1,721,861~~] **\$700,000** for the fiscal year ending June 30, 2016, and by \$3,496,746 for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed \$10,100,000 for the fiscal year ending June 30, 2017. ***The department shall lapse an additional \$1,000,000 in state general fund appropriations for the fiscal year ending June 30, 2016, which shall be in addition to any previously required or estimated lapse for said fiscal year.***

5 New Subdivision; Working Group on Juvenile Justice Services. Amend RSA 621-A by inserting after section 11 the following new subdivision:

#### **Working Group on Juvenile Justice Services**

621-A:12 Working Group on Juvenile Justice Services.

I. No later than 30 days after the effective date of this section, the commissioner of the department of health and human services shall convene a working group on juvenile justice services consisting, at a minimum, of the following members:

- (a) A representative of New Hampshire Kids Count, appointed by that organization.
- (b) A representative of the Disability Rights Center, appointed by the center.
- (c) A justice of the circuit court, appointed by the chief administrative judge of the circuit court.
- (d) A juvenile probation and parole officer, appointed by the commissioner.
- (e) The chief of police of the city of Manchester, or designee.
- (f) The attorney general, or designee.
- (g) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (h) Two members of the senate, appointed by the senate president.
- (i) A representative of community youth services providers, appointed by the commissioner.
- (j) The chair of the juvenile parole board, or designee.
- (k) The commissioner of corrections, or designee.



(l) An attorney with substantial experience representing children in juvenile delinquency proceedings, appointed by the executive director of the New Hampshire Public Defender.

(m) A representative of the New Hampshire State Employees Association, appointed by that organization.

II. The working group shall be subject to RSA 91-A. The department, in consultation with the working group, shall, no later than October 1, 2016, submit to the governor, the speaker of the house of representatives, and the president of the senate, a plan that identifies in detail, the following:

(a) An inventory of all the existing community based care for the rehabilitation of youth located in New Hampshire and the capacity for day and residential services of each facility for all levels of offenders.

(b) A proposed configuration of alternative placements and services for children based upon the inventory of existing available community based care.

(c) A timeline for implementation of alternative placements and services, as well as anticipated obstacles to implementation and recommendations for overcoming those obstacles, including increasing reimbursement rates for community based services.

(d) A process and timeline for the development of a small secure facility for children who are violent and/or high risk and for children who are adjudicated as adults in the correctional system but should not be placed in the state prison system until they become 18 years of age.

(e) An analysis of the costs involved in delivering community based care for detained and adjudicated youth in New Hampshire, and of those costs compared to the costs of operating the Sununu youth services center.

(f) A detailed accounting of the census of the Sununu youth services center for the past 10 years, including the age of offenders at the time of admission and the offense resulting in placement there.

(g) A staffing plan for the Sununu youth services center that provides for 30 detained and adjudicated youth, with flexibility through contract services and the addition of temporary or part-time employees to address population surges if and when they occur. Any additional staffing plans may address staffing levels for a population of less than 30 or more than 30 juveniles.

III. The department, in consultation with the working group, shall also evaluate and make recommendations to the governor, attorney general, speaker of the house of representatives, and president of the senate no later than November 1, 2016, for specific changes to existing state juvenile detention laws that would facilitate the community based treatment of detained and adjudicated youth offenders.

IV. The department, in consultation with the working group and outside consultants, shall examine and make recommendations to the governor, speaker of the house of representatives, and president of the senate no later than December 1, 2016, for alternative uses of the Sununu youth services center. Such analysis shall include the potential for repayment of funds provided by the federal government in establishing the Sununu youth services center. The commissioner may expend up to \$100,000 from funds appropriated to the department for the biennium ending June 30, 2017, for the purpose of hiring consultants.

6 Youth Development Services; Admission; Discharge from Youth Services Center Detention Risk Assessment Instrument. Amend RSA 621-A:6 to read as follows:

621-A:6 Admission.

**I.** Children, subject to proceedings in juvenile court, may be admitted to the youth services center for temporary detention while awaiting disposition of the court pursuant to RSA 169-B:14, for educational services pursuant to RSA 186-C, RSA 169-B, RSA 169-C, or RSA 169-D, only upon prior approval of the commissioner.

**II.** *Prior to a child's detention at the youth services center, the department shall complete a detention risk assessment instrument to determine whether there is:*

*(a) Probable cause to believe that the child will pose a risk to public safety if released to the community prior to the court hearing or disposition; or*

*(b) A need to hold the child in order to assure the child's appearance before the court, as demonstrated by the child's previous failure to respond to the court.*

**III.** *The department shall review and submit a monthly report to the general court on those cases, also known as "overrides", in which children are confined at the Sununu youth services center contrary to the results of the detention risk assessment instrument. Beginning with the fourth such report, the department shall include recommendations for reducing the rate of overrides to 20 percent or less through executive and/or legislative action.*

7 New Paragraph; Youth Development Center; Release and Discharge; Quarterly Review. Amend RSA 621:19 by inserting after paragraph III the following new paragraph:

IV. The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony that has as an element the actual or attempted infliction of injury upon another person within the last 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.

8 Repeal. RSA 621-A:12, relative to the working group on juvenile justice services, is repealed.

9 Effective Date.

I. Sections 1-3 of this act shall take effect July 1, 2016.

II. Section 4 of this act shall take effect June 30, 2016.

III. Section 5 of this act shall take effect upon its passage.

IV. Section 8 of this act shall take effect January 1, 2017.

V. The remainder of this act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill

I. Provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center.

II. Permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.

III. Revises the reduction in appropriation required for the Sununu youth services center and the department of health and human services as a whole.

IV. Establishes a working group within the department of health and human services to address juvenile justice service and treatment options.

V. Requires the department of health and human services to use a detention risk assessment instrument to determine whether a child should be held at the youth services center pending adjudication.

VI. Requires the department of health and human services to conduct a quarterly review of children placed at the Sununu youth services center to determine whether a less restrictive placement is possible. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Rogers offered minority committee amendment (1845h).

### Minority Amendment (1845h)

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. Amend 2015, 276:205 to read as follows:

276:205 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by [~~\$1,721,861~~] **\$700,000** for the fiscal year ending June 30, 2016, and by \$3,496,746 for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed \$10,100,000 for the fiscal year ending June 30, 2017. ***The department shall lapse an additional \$1,000,000 in state general fund appropriations for the fiscal year ending June 30, 2016, which shall be in addition to any previously required or estimated lapse for said fiscal year.***

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- (c) A justice of the circuit court, appointed by the chief administrative judge of the circuit court.
- (d) A juvenile probation and parole officer, appointed by the commissioner.
- (e) The chief of police of the city of Manchester, or designee.
- (f) The attorney general, or designee.
- (g) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (h) Two members of the senate, appointed by the senate president.
- (i) A representative of community youth services providers, appointed by the commissioner.
- (j) The chair of the juvenile parole board, or designee.
- (k) The commissioner of corrections, or designee.
- (l) An attorney with substantial experience representing children in juvenile delinquency proceedings, appointed by the executive director of the New Hampshire Public Defender.
- (m) A representative of the New Hampshire State Employees Association, appointed by that organization.

II. The working group shall be subject to RSA 91-A. The department, in consultation with the working group, shall, no later than October 1, 2016, submit to the governor, the speaker of the house of representatives, and the president of the senate, a plan that identifies in detail, the following:

- (a) An inventory of all the existing community based care for the rehabilitation of youth located in New Hampshire and the capacity for day and residential services of each facility for all levels of offenders.
- (b) A proposed configuration of alternative placements and services for children based upon the inventory of existing available community based care.
- (c) A timeline for implementation of alternative placements and services, as well as anticipated obstacles to implementation and recommendations for overcoming those obstacles, including increasing reimbursement rates for community based services.
- (d) A process and timeline for the development of a small secure facility for children who are violent and/or high risk and for children who are adjudicated as adults in the correctional system but should not be placed in the state prison system until they become 18 years of age.
- (e) An analysis of the costs involved in delivering community based care for detained and adjudicated youth in New Hampshire, and of those costs compared to the costs of operating the Sununu youth services center.
- (f) A detailed accounting of the census of the Sununu youth services center for the past 10 years, including the age of offenders at the time of admission and the offense resulting in placement there.
- (g) A staffing plan for the Sununu youth services center that provides for 30 detained and adjudicated youth, with flexibility through contract services and the addition of temporary or part-time employees to address population surges if and when they occur. Any additional staffing plans may address staffing levels for a population of less than 30 or more than 30 juveniles.

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**IV.** The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony that has as an element the actual or attempted infliction of injury upon another person within the last 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.

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V. The remainder of this act shall take effect 60 days after its passage.

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III. Revises the reduction in appropriation required for the Sununu youth services center and the department of health and human services as a whole.

IV. Establishes a working group within the department of health and human services to address juvenile justice service and treatment options.

V. Requires the department of health and human services to use a detention risk assessment instrument to determine whether a child should be held at the youth services center pending adjudication.

VI. Requires the department of health and human services to conduct a quarterly review of children placed at the Sununu youth services center to determine whether a less restrictive placement is possible.

Rep. Rogers spoke in favor.

Rep. Byron spoke against.

Rep. Kurk requested a roll call; sufficiently seconded.

**YEAS 141    NAYS 200****YEAS - 141****BELKNAP**

Flanders, Donald

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Mann, John  
Shepardson, Marjorie

Ames, Richard  
Chase, Cynthia  
Parkhurst, Henry  
Tatro, Bruce

Tilton, Benjamin  
Eaton, Daniel  
Pearson, William  
Weber, Lucy

Berch, Paul  
Ley, Douglas  
Robertson, Timothy

**COOS**

Frobург, Alethea

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Townsend, Charles

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
White, Andrew

Bennett, Travis  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Baroody, Benjamin  
Cornell, Patricia  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
Mangipudi, Latha  
Long, Patrick  
Shattuck, Gilman  
Smith, Timothy

Booras, Efstathia  
Cote, David  
Gidge, Kenneth  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
Porter, Marjorie  
Shaw, Barbara  
Vann, Ivy

Roberts, Carol  
DiSilvestro, Linda  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter  
McNamara, Richard  
Walsh, Robert  
Snow, Kendall  
Williams, Kermit

Cohen, Alan  
Edwards, Elizabeth  
Gorman, Mary  
Heath, Mary  
O'Brien, Michael  
Brown, Pamela  
Rosenwald, Cindy  
Soucy, Timothy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Carson, Clyde  
Gile, Mary  
Karrick, David  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

French, Barbara  
Deloge, Helen  
Henle, Paul  
Kenison, Linda  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Hill, Gregory  
Luneau, David  
Patten, Dick  
Schuett, Dianne

Bradley, Paula  
Ebel, Karen  
Frazer, June  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Rice, Frederick  
Major, Norman  
Sherman, Thomas

Borden, David  
DiFranco, Debbie  
Francese, Paula  
McBeath, Rebecca  
Simpson, Alexis

Cahill, Michael  
Duarte, Joe  
Ward, Gerald  
Gordon, Pamela

Cali-Pitts, Jacqueline  
Edgar, Michael  
Heffron, Frank  
Pantelakos, Laura

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Spang, Judith

Berube, Roger  
DiSesa, Len  
Smith, Marjorie  
Sprague, Dale

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Treleven, Susan

Burton, Wayne  
Ward, Kenneth  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

**NAYS - 200****BELKNAP**

Aldrich, Glen  
Fisher, Robert  
LeBreche, Shari  
Varney, Peter

Dumais, Russell  
Gallagher, Brian  
Spanos, Peter

Tilton, Franklin  
Howard, Raymond  
Sylvia, Michael

Fields, Dennis  
Hurt, George  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Emerson, Susan  
Phillips, Larry

Hunt, John  
Sterling, Franklin

Roberts, Kris

McConnell, James

**COOS**

Fothergill, John  
Thomas, Yvonne

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Johnson, Eric  
Ladd, Rick

Brown, Duane  
Glonet, Edmond  
Piper, Wendy

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Donovan, Daniel  
Ferreira, Elizabeth  
Gagne, Larry  
Goulette, William  
Hogan, Edith  
Rice, Kimberly  
Lachance, Joseph  
Murphy, Keith  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene  
O'Brien, William

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Eastman, Eric  
Flanagan, Jack  
Gargas, Carolyn  
Haefner, Robert  
Hopper, Gary  
Kurk, Neal  
LeBrun, Donald  
Notter, Jeanine  
Peterson, Ken  
Ober, Russell  
Schleien, Eric  
Souza, Kathleen  
Twombly, Timothy  
Wolf, Terry

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Fromuth, Bart  
Gonzalez, Carlos  
Hansen, Peter  
Infantine, William  
Christiansen, Lars  
McLean, Mark  
Ohm, Bill  
Pierce, David  
Rouillard, Claire  
Scotsas, Lisa  
Stepanek, Stephen  
Ulery, Jordan  
Zaricki, Nick

Balcom, John  
Burt, John  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Gould, Linda  
Hinch, Richard  
Belanger, James  
Ober, Lynne  
Murotake, David  
Parison, James  
Proulx, Mark  
Rowe, Robert  
Seidel, Carl  
Straight, Phillip  
Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
French, Harold  
Kidder, David  
Martin, John

McGuire, Carol  
Hess, David  
Kotowski, Frank  
Seaworth, Brian

Long, Douglas  
Hoell, J.R.  
Kuch, Bill  
Walsh, Thomas

McGuire, Dan  
Horn, Werner  
Marple, Richard

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James

Abrami, Patrick  
Barnes, Arthur  
Cook, Allen  
Doucette, Fred

Abramson, Max  
Bates, David  
Thomas, Douglas  
Elliott, Robert

Azarian, Gary  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Emerick, J. Tracy

Chase, Francis  
Green, Dennis  
Hodgdon, Bruce  
Sweeney, Joe  
Kolodziej, Walter  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Spillane, James  
Webb, James

Ferrante, Beverly  
Guthrie, Joseph  
Hoelzel, Kathleen  
Ward, Joanne  
Lovejoy, Patricia  
McMahon, Charles  
Osborne, Jason  
Gordon, Richard  
Sytek, John  
Welch, David

Fesh, Robert  
Hagan, Joseph  
Introne, Robert  
Kappler, Lawrence  
Griffin, Mary  
Milz, David  
Packard, Sherman  
Tilton, Rio  
True, Chris  
Weyler, Kenneth

Gannon, William  
Harris, Jeffrey  
Itse, Daniel  
Katsakiores, Phyllis  
Manning, John  
Nigrello, Robert  
Peckham, Michele  
Schroadter, Adam  
Vose, Michael

### STRAFFORD

Beaudoin, Steven  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

Graham, Robert  
Jones, Laura  
Leeman, Don

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and the minority committee amendment failed.

Majority committee report adopted and ordered to third reading.

**SB 481-FN**, relative to a special health care service license and establishing a fund. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Cindy Rosenwald for the Majority of Finance. This bill addresses three areas important to the quality and accessibility of our health care system. First, it requires licensing for new programs of three high risk medical services (open-heart surgery, cardiac catheterization, and megavoltage radiation) for which there are recognized clinical standards. Secondly, it requires new hospitals to compete on a level playing field by including emergency departments and accepting all sources of payment. Finally, if an organization wants to locate a new licensed health care entity within 15 miles of any of the state's 13 critical access hospitals, the Commissioner of Health and Human Services would have to certify that it would not materially adversely impact that critical access hospital. These hospitals, located in the North Country and western part of the state, operate with the federal designation of critical access because they are in geographically isolated and/or medically underserved areas and provide necessary inpatient and emergency care. The Finance Committee amendment eliminates the dedicated fund in favor of a small appropriation to staff the licensing operation. Vote 23-2. Rep. Dan McGuire for the Minority of Finance. This bill severely restricts medical competition in multiple ways. It identifies three services provided by existing large hospitals and subjects any new entrants to special licensing, regulation and open-ended fees. It requires that any new hospital operate a 24/7 emergency room and accept all patients regardless of ability to pay. Finally, it draws a 15-mile circle around the thirteen "critical access" (smaller) hospitals and prevents any new hospitals or many other medical business to form in those areas if they would have a "material adverse impact" on services provided by those small hospitals. Note that critical access hospital Alice Peck Day has managed to thrive in the shadow of Dartmouth Hitchcock since it was founded in 1932 and today has 500 employees and revenues over \$50 million a year. This is not a time to be restricting new medical facilities. There has not been a new hospital built in this state in over 30 years, during which our population has increased by almost 50%. The hospitals in New Hampshire are not financially shaky. Four of the ten largest employers in the state are hospitals. The largest has \$400 million in annual revenues, an \$800 thousand CEO and some doctors with salaries in excess of \$1 million. Even the smallest 16-bed hospital in the state has annual revenues of \$16 million a year, pays its CEO \$170 thousand, has doctors over \$350 thousand and provides less than 3% charity care. Our state government spends \$1 billion a year of our own money on HHS, and another \$1 billion in federal money. Competition is needed for consumers, including the state, to get the best prices and quality for our medical dollars. Our constitution wisely tells us in part 2 article 83 that free and fair competition is an essential right of the people and we should protect it from those who endeavor to raise prices by destroying it. We should heed that advice and find SB 481 Inexpedient to Legislate.

**Majority Amendment (1860h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to a special health care service license and making an appropriation therefor.

Amend RSA 151:18 as inserted by section 4 of the bill by replacing it with the following:

4 Health Facility Licensure; Disposition of Fees. Amend RSA 151:18 to read as follows:  
151:18 Disposition of Fees.

*I. All fees received from licenses under the provisions of this chapter shall be kept by the state treasurer in a separate fund to be paid out to the department of health and human services for purposes of this chapter only.*

*II. Notwithstanding paragraph I, fees and any other funds collected for special health care service licenses pursuant to RSA 151:2-e shall be deposited in the general fund.*

Amend the bill by replacing section 5 with the following:

5 Appropriation; Department of Health and Human Services. The sum of \$50,000 is hereby appropriated to the department of health and human services for the fiscal year ending June 30, 2017, for purposes of paying the costs of special health care service licenses. The governor is authorized to draw a warrant for said sum out of any moneys in the treasury not otherwise appropriated.

**AMENDED ANALYSIS**

This bill establishes procedures to acquire a special health care service license under the law governing health facility licensure. This bill also establishes certain requirements regarding accessibility to health care services. The bill makes an appropriation for purposes of paying the costs of special health care service licenses.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Dan McGuire spoke against and yielded to questions.

Reps. Sanborn and Edelblut spoke against.

Reps. Stephen Schmidt and Rosenwald spoke in favor.

Rep. Edelblut requested a roll call; sufficiently seconded.

**YEAS 195 NAYS 134****YEAS - 195****BELKNAP**

Tilton, Franklin	Fields, Dennis	Flanders, Donald	Gallagher, Brian
Varney, Peter			

**CARROLL**

Buco, Thomas	Butler, Edward	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Eaton, Daniel	Emerson, Susan	Roberts, Kris
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Tholl, John	Thomas, Yvonne	

**GRAFTON**

Abel, Richard	Almy, Susan	Bailey, Brad	Cooney, Mary
Hennessey, Erin	Ford, Susan	Gionet, Edmond	Higgins, Patricia
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			



**HILLSBOROUGH**

Balcom, John  
 Coffey, James  
 Danielson, David  
 Gargas, Carolyn  
 Guerette, C. Lee  
 Heath, Mary  
 Christiansen, Lars  
 Mangipudi, Latha  
 Long, Patrick  
 Rosenwald, Cindy  
 Snow, Kendall  
 Vann, Ivy

Baroody, Benjamin  
 Cohen, Alan  
 DiSilvestro, Linda  
 Gidge, Kenneth  
 Haefner, Robert  
 Hinch, Richard  
 Lachance, Joseph  
 Manley, Jonathan  
 Pierce, David  
 Rowe, Robert  
 Soucy, Timothy  
 Williams, Kermit

Booras, Efstathia  
 Cornell, Patricia  
 Flanagan, Jack  
 Goley, Jeffrey  
 Hansberry, Daniel  
 Infantine, William  
 Leishman, Peter  
 McNamara, Richard  
 Porter, Marjorie  
 Shattuck, Gilman  
 Smith, Timothy  
 Wolf, Terry

Roberts, Carol  
 Cote, David  
 Freitas, Mary  
 Gonzalez, Carlos  
 Harvey, Suzanne  
 Jack, Martin  
 O'Brien, Michael  
 Brown, Pamela  
 Walsh, Robert  
 Shaw, Barbara  
 Takesian, Charlene  
 Woodbury, David

**MERRIMACK**

Turcotte, Alan  
 Carson, Clyde  
 Gile, Mary  
 Kenison, Linda  
 MacKay, James  
 Ratzki, Mario  
 Shurtleff, Stephen

French, Barbara  
 Deloge, Helen  
 Henle, Paul  
 Kidder, David  
 Moffett, Howard  
 Rogers, Katherine  
 Walsh, Thomas

Bartlett, Christy  
 Doherty, David  
 Frazer, June  
 Kotowski, Frank  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Bradley, Paula  
 Ebel, Karen  
 Karrick, David  
 Luneau, David  
 Patten, Dick  
 Schuett, Dianne  
 Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew  
 Cahill, Michael  
 Devine, James  
 Fesh, Robert  
 Heffron, Frank  
 Griffin, Mary  
 Milz, David  
 Tilton, Rio  
 Welch, David

Abrami, Patrick  
 Cali-Pitts, Jacqueline  
 DiFranco, Debbie  
 Francese, Paula  
 Hoelzel, Kathleen  
 Major, Norman  
 Nigrello, Robert  
 Sherman, Thomas

Berrien, Skip  
 Cardon, G. Thomas  
 Edgar, Michael  
 Ward, Gerald  
 Sweeney, Joe  
 McBeath, Rebecca  
 Gordon, Pamela  
 Simpson, Alexis

Borden, David  
 Cushing, Robert  
 Elliott, Robert  
 Guthrie, Joseph  
 Lovejoy, Patricia  
 McMahon, Charles  
 Pantelakos, Laura  
 Webb, James

**STRAFFORD**

Baber, William  
 Burton, Wayne  
 Horrigan, Timothy  
 Schmidt, Peter  
 Treleven, Susan

Berube, Roger  
 Cilley, Jacalyn  
 Ward, Kenneth  
 Rollo, Deanna  
 Verschuere, James

Bickford, David  
 DiSesa, Len  
 Kaen, Naida  
 Spang, Judith  
 Wall, Janet

Bixby, Peter  
 Gray, James  
 Smith, Marjorie  
 Sprague, Dale

**SULLIVAN**

Schmidt, Andrew  
 Gottling, Suzanne  
 O'Heame, Andrew

Cloutier, John  
 Grenier, James  
 Rollins, Skip

Converse, Larry  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 Laware, Thomas

**NAYS - 134****BELKNAP**

Aldrich, Glen  
 Hurt, George

Dumais, Russell  
 Spanos, Peter

Fisher, Robert  
 Fraser, Valerie

Howard, Raymond

**CARROLL**

Avellani, Lino

Chandler, Gene

Comeau, Ed

Cordelli, Glenn

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rideout, Leon

Theberge, Robert

**GRAFTON**Brown, Duane  
Ingbretson, PaulDarrow, Stephen  
Ladd, Rick

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**Adams, Christopher  
Boehm, Ralph  
Donovan, Daniel  
Ferreira, Elizabeth  
Gould, Linda  
Hogan, Edith  
LeBrun, Donald  
Notter, Jeanine  
Peterson, Ken  
Rouillard, Claire  
Seidel, Carl  
Straight, Phillip  
O'Brien, WilliamAmmon, Keith  
Bouldin, Amanda  
Edelblut, Frank  
Fromuth, Bart  
Goulette, William  
Hopper, Gary  
McLean, Mark  
Ohm, Bill  
Proulx, Mark  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, Timothy  
Zaricki, NickGriffin, Barbara  
Burt, John  
Edwards, Elizabeth  
Gagne, Larry  
Hansen, Peter  
Belanger, James  
Murotake, David  
Parison, James  
Christie, Rick  
Schleien, Eric  
Souza, Kathleen  
Ulery, JordanBiggie, Barbara  
Byron, Frank  
Estevez, Eric  
Gorman, Mary  
Herbert, Christopher  
Rice, Kimberly  
Murphy, Keith  
Pellegrino, Anthony  
Ober, Russell  
Scotsas, Lisa  
Stepanek, Stephen  
Sullivan, Victoria**MERRIMACK**Brewster, Michael  
Hill, Gregory  
Marple, RichardMcGuire, Carol  
Hoell, J.R.  
Martin, JohnLong, Douglas  
Horn, Werner  
Seaworth, BrianMcGuire, Dan  
Kuch, Bill**ROCKINGHAM**Abramson, Max  
Bates, David  
Dean-Bailey, Yvonne  
Chase, Francis  
Green, Dennis  
Introne, Robert  
Katsakiores, Phyllis  
O'Connor, John  
Potucek, John  
True, ChrisAzarian, Gary  
Chirichiello, Brian  
Doucette, Fred  
Rice, Frederick  
Hagan, Joseph  
Itse, Daniel  
Kolodziej, Walter  
Osborne, Jason  
Gordon, Richard  
Vose, MichaelBaldasaro, Alfred  
Cook, Allen  
Duarte, Joe  
Ferrante, Beverly  
Harris, Jeffrey  
Ward, Joanne  
Manning, John  
Packard, Sherman  
Spillane, JamesBarnes, Arthur  
Thomas, Douglas  
Emerick, J. Tracy  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
Peckham, Michele  
Sytek, John**STRAFFORD**Beaudoin, Steven  
Groen, Warren  
Knowles, Robert  
Whitehouse, JoshuaCheney, Catherine  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, KurtDeLemus, Susan  
Jones, Laura  
Leeman, DonGraham, Robert  
Kaczynski, Thomas  
Pitre, Joseph

and the majority committee report was adopted and ordered to third reading.

**SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Karen Umberger for the Majority of Finance. Drug overdoses in New Hampshire have skyrocketed, and heroin-related hospital emergency department visits increased in the first nine months of 2015 by 70%. To help deal with this, the bill establishes a substance abuse enforcement program within the Department of Safety (DOS). The program will provide overtime for state, county and local police officers as well as overtime and supplies for the state forensic science laboratory to place additional police patrol and investigative presence in areas known to be used by drug dealers for shipments of illegal drugs into the state. The program will insure the drug enforcement efforts in the state are coordinated. The DOS and state police have developed

an outline for the grant applications which will eventually be developed into rules. The initial appropriation is for \$1,500,000 dollars for FY 17. It is projected that these dollars will add 8 additional officers each day who are focused on trying to stem the tide of drugs flowing into the state. A semi-annual reporting requirement will provide measurable results and a detailed accounting of program funding and use. The non-germane amendment, added after a public hearing provides additional needed tools for the administration of the retiree health care program as well as providing \$300,000 for a consultant to help create better financial forecasts, review the plan, and provide training to retirees on their health care plan. The retiree health care line was underfunded in the budget, and despite plan changes, there is need for Department of Administration staff to have additional tools in order to ensure that adequate projections, training and funding estimates can be developed for future bienniums. The amendment also establishes a procedure for the Fiscal Committee to gather public input via public hearings in case changes are needed to be made by this committee in the future. Finally, the amendment provides \$20,000 for overtime for the Department of Administration Risk Management staff in order to adequately service needs of retirees and answer questions about retiree health. Vote 25-1.

Rep. Dan McGuire for the Minority of Finance. This bill creates a new substance abuse law enforcement program and funds it with \$1.5 million in FY 2017. This is the same approach to drugs which has been tried for over 40 years and failed. The \$1.5 million is only the tip of the iceberg. More law enforcement will mean more costs for courts, prosecutors, defense and corrections. More money spent in this way will not solve the problem. The minority doesn't object to the non-germane second half of the amended bill.

### **Majority Amendment (1857h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Amend the bill by replacing all after the enacting clause with the following:

1 Legislative Findings. The legislature finds:

I. From 2010 through October 21, 2015 drug overdoses in New Hampshire have claimed 1,322 lives, of which 315 were related to heroin and 377 to fentanyl. Heroin-related hospital emergency department visits in New Hampshire during the first 9 months of 2015 increased by 70.4 percent over the same period the previous year; and between July and September 2015, the anti-opioid drug Naloxone was administered by emergency responders to prevent an opioid death 866 times.

II. Drug-related deaths currently are eclipsing by far the number of deaths in highway fatalities. At the same time, however, there was a 21.43 percent increase in persons killed in highway crashes as of mid-October 2015 compared with the same period in 2014 and nearly 500 additional serious but not fatal injury crashes, with significant numbers involving drugged driving. Armed robberies and burglaries and other street crimes involving drugs have become a weekly occurrence and every county in the state has been affected.

III. Increased information sharing and more visible police presence on the streets and highways along with intensive enforcement of the traffic laws is strongly correlated to the deterrence of crime, cutting off the supply of drugs, apprehension of criminals, and a reduction in highway deaths.

IV. Sections 1-6 of this act are intended to make additional resources available to provide for more, better, and smarter law enforcement approaches to the current crisis.

2 New Subdivision; Substance Abuse Enforcement Program. Amend RSA 21-P by inserting after section 65 the following new subdivision:

#### **Substance Abuse Enforcement Program**

##### **21-P:66 Substance Abuse Enforcement Program.**

I. The commissioner of safety shall establish a substance abuse enforcement program which shall make grants available to county and local law enforcement agencies, and also provide funding for the division of state police for the following purposes:

- (a) Overtime costs for officers performing law enforcement activities under this program.
- (b) Overtime, supplies, and other costs of the state forensic science laboratory.

II. The commissioner shall establish protocols and conditions for increased state police patrols and conditions for eligibility for grants to local and county law enforcement agencies. The protocols and conditions shall be based on the principles of intelligence-driven, problem-oriented policing, using statistics and information to place additional police patrol and investigative presence at the locations, times, and places where there have been a significant convergence of motor vehicle crashes, crimes, and drug use, or in corridors known to be used by drug dealers for shipments of illegal drugs into the state. The protocols and conditions shall:

(a) Require dedicated patrol units relieved of taking calls for service absent an emergency.

(b) Insure that the officers assigned to such patrol units have been trained in the concept of data-driven policing and have an appropriate knowledge of the requirements of the state and federal constitutions.

III. The commissioner shall give equal consideration to all local and county law enforcement agencies and the division of state police when allocating available program funding.

IV. The program shall include the following prohibitions on allowable uses of funds:

(a) No funds shall be granted for "purchase of evidence" or for "confidential funds."

(b) No funds shall be used for the purchase of operational equipment, except for direct supply costs for state forensic science laboratory testing.

(c) No funds shall be used for supplanting locally budgeted and approved funds for routine law enforcement.

V. The program shall include semi-annual reporting, to the governor, senate president, and speaker of the house of representatives, which includes measurable program results and a detailed accounting of program funding and uses. The first report shall be submitted on or before December 15, 2016.

21-P:67 Rulemaking. The commissioner of safety shall adopt rules to implement this subdivision. Notwithstanding any other provisions of law, such rules shall be exempt from the provisions of RSA 541-A.

3 Substance Abuse Enforcement Program; Rulemaking; July 1, 2017. RSA 21-P:67 is repealed and reenacted to read as follows:

21-P:67 Rulemaking. The commissioner of safety shall adopt rules, pursuant to RSA 541-A, to implement this subdivision.

4 New Subparagraph; Administrative Procedures Act; Exceptions. Amend RSA 541-A:21, I by inserting after subparagraph (hh) the following new subparagraph:

(ii) RSA 21-P:68, relative to the substance abuse enforcement program.

5 Repeal. RSA 541-A:21, I(ii), relative to a rulemaking exception for the substance abuse enforcement program, is repealed.

6 Appropriation; Department of Safety; Substance Abuse Enforcement Program.

I. The sum of \$1,500,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the substance abuse enforcement program under RSA 21-P:66.

II.(a) For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to 2 separate accounting units as follows:

(1) An accounting unit for enforcement activities, including grants to local and county agencies.

(2) An accounting unit for division of forensic science laboratory activities.

(b) Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

7 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:

II.(a) The state shall pay a *partial* premium for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption.

(b) Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

8 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits; Premium Contribution. Amend RSA 21-I:30, XIII to read as follows:

XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse ~~[who are not Medicare-eligible and]~~ receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, ~~[a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans~~ based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court~~;~~ ***provided the percentage is not lower than 12.5 percent***. ***Beginning January 1 2017, the commissioner of administrative services shall determine, with prior approval by the fiscal committee of the general court, a premium contribution amount for Medicare-eligible retiree health benefit plans and a premium contribution amount for non-Medicare-eligible retiree health benefit plans.***

(b) The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law.

(c) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

9 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse ~~[who are not Medicare-eligible and]~~ receiving medical and surgical benefits provided pursuant to RSA 21-I:30, ~~[a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans~~ based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services with prior approval by the fiscal committee of the general court ~~[provided the percentage is not lower than 12.5 percent]~~ ***under RSA 21-I:30, XIII.***

(b) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

10 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

I. Retired judges and their applicable spouses ~~[who are not Medicare-eligible and]~~ receiving medical and surgical benefits shall be responsible for payment of ~~[a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans~~ based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court~~;~~ ***provided the percentage is not lower than 12.5 percent*** ***under RSA 21-I:30, XIII.***

**II.** The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

**11 Appropriation; Department of Administrative Services; Risk Management; Overtime.** In addition to any other sums appropriated, the sum of \$20,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of administrative service for the purpose of overtime charged to the risk management accounting unit, class 18. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

**12 Health Care Consultant Contract; Benefit Plan; Appropriation.**

**I.** The commissioner of administrative services is hereby authorized to contract with a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. The total amount expended by the department of administrative services for the health care consultant contract, benefit plan design, and training shall not exceed \$300,000.

**II.** The sum of up to \$300,000 for the biennium ending June 30, 2017 is hereby appropriated to the commissioner of the department of administrative services for the purpose of payment for the cost of the contract with the health care consultant under paragraph I. The source of funds for the appropriation shall be the employee and retiree benefit risk management fund under RSA 21-I:30-e.

**13 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council.** Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

**VII.** The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public.

**14 Contingent Nullification.** If SB 388 of the 2016 regular legislative session becomes law, the amendment to RSA 21-I:30, II, as inserted by section 1 of SB 388, shall not take effect.

**15 Effective Date.**

**I.** Sections 3 and 5 of this act shall take effect July 1, 2017.

**II.** The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

**I.** Requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

**II.** Requires premium contribution amounts for retiree health benefits for retired state employees who are Medicare eligible, and provides for separate premium contribution rates for Medicare-eligible and non-Medicare eligible retirees to be determined beginning January 1, 2017.

**III.** Makes an appropriation to the department of administrative services for a health care consultant to design a long-term retiree health care funding plan, and transfers certain judicial branch funds for health plan costs.

**IV.** Nullifies an amendment made by SB 388, relative to public hearings on retiree health plan changes, if it becomes law.

Majority committee amendment adopted.

### MOTION TO DIVIDE

Rep. Dan McGuire moved that sections 1 through 6 and sections 7 through 13 be divided on **SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Rep. Dan McGuire spoke in favor.

Rep. Eaton spoke against.

On a division vote, with 89 members having voted in the affirmative, and 235 in the negative, the motion to divide failed.

### MOTION TO DIVIDE

Rep. Goley moved that section 14 be divided on **SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Rep. Goley spoke in favor.

Rep. Lynne Ober spoke against.

On a division vote, with 131 members having voted in the affirmative, and 187 in the negative, the motion to divide failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Reps. Dan McGuire and Abramson spoke against.

Rep. Umberger spoke in favor.

On a division vote, with 213 members having voted in the affirmative, and 95 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 495-FN-A**, relative to state retiree health plan costs and funding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. This bill as amended provides additional funding that is needed to fully fund retiree health for the current biennium. When the budget was presented by the Governor, the retiree health line was underfunded by \$5.5 million. Then the federal government cut the stipend sent to us for payment of prescription drug coverage for those on Medicare by \$1 million. This stipend comes to the state because state employees do not use a Medicare Part D Plan for prescriptions. Between the time the budget was developed and the fall, prescription usage by retirees had grown so much that an additional \$4 million had been used. This left a \$10.6 million budget hole that the Department of Administrative Services (DAS) and the Fiscal Committee worked to close by amending the plan, changing co-pays and using surplus funds in the account. It also makes an appropriation to DAS for a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. Finally, it establishes a retiree health advisory council as a subcommittee of the Fiscal Committee, which shall convene public hearings as needed for the purpose of receiving testimony from retirees and other interested members of the public on any proposed retiree health benefits plan. Vote 26-0.

### Amendment (1805h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, making appropriations to the department of administrative services, and relative to the definition of a cigar bar.

Amend the bill by replacing all after the enacting clause with the following:

I Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:

II.(a) The state shall pay a *partial* premium for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption.

(b) Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

2 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits; Premium Contribution. Amend RSA 21-I:30, XIII to read as follows:

XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse ~~[who are not Medicare-eligible and]~~ receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, **[a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans** based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court~~[, provided the percentage is not lower than 12.5 percent]~~. **Beginning January 1, 2017, the commissioner of administrative services shall determine, with prior approval by the fiscal committee of the general court, a premium contribution amount for Medicare-eligible retiree health benefit plans and a premium contribution amount for non-Medicare-eligible retiree health benefit plans.**

(b) The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law.

(c) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

3 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse ~~[who are not Medicare-eligible and]~~ receiving medical and surgical benefits provided pursuant to RSA 21-I:30, **[a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans** based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services with prior approval by the fiscal committee of the general court ~~[provided the percentage is not lower than 12.5 percent]~~ **under RSA 21-I:30, XIII.**

(b) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

4 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

I. Retired judges and their applicable spouses ~~[who are not Medicare-eligible and]~~ receiving medical and surgical benefits shall be responsible for payment of **[a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans** based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court~~[, provided the percentage is not lower than 12.5 percent]~~ **under RSA 21-I:30, XIII.**



II. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

5 Appropriation; Department of Administrative Services; Risk Management; Overtime. In addition to any other sums appropriated, the sum of \$20,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of administrative service for the purpose of overtime charged to the risk management accounting unit, class 18. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

6 Health Care Consultant Contract; Benefit Plan; Appropriation.

I. The commissioner of administrative services is hereby authorized to contract with a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. The total amount expended by the department of administrative services for the health care consultant contract, benefit plan design, and training shall not exceed \$300,000.

II. The sum of up to \$300,000 for the biennium ending June 30, 2017 is hereby appropriated to the commissioner of the department of administrative services for the purpose of payment for the cost of the contract with the health care consultant under paragraph I. The source of funds for the appropriation shall be the employee and retiree benefit risk management fund under RSA 21-I:30-e.

7 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public.

8 Appropriation and Charge; Department of Administrative Services; Risk Management; Health Plan Costs. In addition to any other sums appropriated, the sum of \$360,000 is appropriated to the department of administrative services, risk management unit, for the biennium ending June 30, 2017 for state retiree health plan costs under RSA 21-I:30. Said appropriations shall be a charge against the following account:

<u>Accounting Unit</u>	<u>Class</u>	<u>Class Name</u>	<u>FY 2016</u>	<u>FY 2017</u>
02-10-10-1000-1880	049	Transfer to Other State Agencies	(\$180,000)	(\$180,000)

9 Contingent Nullification. If SB 388 of the regular 2016 legislative session becomes law, then the amendment to RSA 21-I:30, II as inserted by SB 388, shall not take effect.

10 Liquor Licenses and Fees; Definition of Cigar Bar. Amend RSA 178:20-a, II(d) to read as follows:

(d) Does not allow cigarette smoking or [~~service of~~] food *to be sold* on the premises.

11 Effective Date.

I. Section 10 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Requires premium contribution amounts for retiree health benefits for retired state employees who are Medicare eligible, and provides for separate premium contribution rates for Medicare-eligible and non-Medicare eligible retirees to be determined beginning January 1, 2017.

II. Makes an appropriation to the department of administrative services for a health care consultant to design a long-term retiree health care funding plan, and transfers certain judicial branch funds for health plan costs.

III. Nullifies an amendment made by SB 388, relative to public hearings on retiree health plan changes, if it becomes law.

IV. Prohibits the sale of food in a cigar bar licensed by the liquor commission.

Rep. Spillane spoke against and yielded to questions.

Reps. Hunt and Danielson spoke in favor.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 515-FN**, relative to child neglect and other changes to the child protection act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Betsy McKinney for the Majority of Finance. As previously passed by the House this bill restores drug testing that was eliminated in 2011 in cases of child neglect. The cost of \$90,000 will be funded out of the department's current budget and require no additional appropriation. The committee amended Sections 3 and 4 of the bill to be effective July 1, 2016. Vote 24-2.

Rep. Dan McGuire for the Minority of Finance. This bill states that evidence of drug abuse by a parent is enough to presume that a child's health is very likely to suffer. This is a key part of showing neglect, which can lead a court to remove children from their home. This will lead to more expenses for courts, attorneys and foster care than existing law, which more properly requires evidence of actual neglect or abuse.

#### **Majority Amendment (1631h)**

Amend the bill by replacing section 6 with the following:

6 Effective Date.

I. Sections 3 and 4 of this act shall take effect July 1, 2016.

II. Section 5 of this act shall take effect July 1, 2020.

III. The remainder of this act shall take effect upon its passage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Dan McGuire spoke against.

Rep. Wallner spoke in favor.

Majority committee report adopted and ordered to third reading.

**SB 522-FN-A**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dan McGuire for Finance. This bill appropriates the sum of \$130,000 for technology upgrades to the Controlled Drug Prescription Health and Safety system (AKA the Prescription Drug Monitoring Program [PDMP]), which tracks prescriptions for controlled substances. Currently this system is updated weekly for controlled substances and physicians requested a daily update. After the upgrade it will be updated daily, which will assist prescribing physicians. Also included in the upgrades are additional reporting functionality, a stress test to ensure all users of the PDMP have adequate response time, the ability to batch queries from a list of stored patients. This bill was strongly supported by the Drug Task Force during its deliberations. The committee's amendment also includes the House-passed version of HB 636 dealing with asset forfeiture. Vote 25-1.

#### **Amendment (1856h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program, and relative to forfeiture of property.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Property Subject to Forfeiture. Amend RSA 617 by inserting after section 1 the following new section:

617:1-a Criminal Forfeiture; Property Subject to Forfeiture.

I. Subsequent to a criminal conviction pursuant to a statute that authorizes forfeiture, including but not limited to RSA 318-B:17-b, the court may order the person convicted to forfeit:

(a) Property the person derived from the commission of the crime;

(b) Property directly traceable to property derived from the commission of the crime; and

(c) Instrumentalities the person used in the commission of the crime.

II. When a conviction or agreement of the parties is not possible due to the person's death, incompetence, unavailability, or not being within the jurisdiction of the court, or the person to be charged cannot be identified, forfeiture proceedings may be commenced.

III. Property may be forfeited if the state establishes that the property is forfeitable by clear and convincing evidence.

IV. Nothing in this section shall prevent property from being forfeited by plea agreement approved by the presiding criminal court or other agreement of the parties.

V. At the request of any party, the civil portion of the forfeiture proceeding may be stayed by the court.

3 New Section; Forfeiture; Innocent Owner. Amend RSA 617 by inserting after section 4 the following new section:

617:4-a Innocent Owner. In addition to any other remedy provided by law, any person claiming to be an innocent owner of property seized for purposes of forfeiture may petition the court, after 10 days from the date of seizure, for return of the property. No item or property interest shall be subject to forfeiture unless the alleged innocent owner thereof was a consenting party to the crime. This provision shall not apply to property seized as evidence in a pending criminal investigation or prosecution.

4 New Section; Disposition of Unclaimed Property and Proceeds. Amend RSA 617 by inserting after section 10 the following new section:

617:11 Disposition of Property and Proceeds.

I. Notwithstanding any other provision of law, at any time when unclaimed property or contraband held for evidentiary purposes is no longer needed for that purpose, the court may order the state to deliver any unclaimed property, other than currency, to the commissioner of the department of administrative services, to deliver any currency to the state treasurer, and to destroy any contraband within 30 days.

II. If the forfeiture is granted, the court may order the state to deliver any currency to the state treasurer and any other property to the commissioner of the department of administrative services within 30 days. The commissioner of the department of administrative services shall dispose of the forfeited property at public auction.

III. Upon motion, the court may order that a portion of the currency seized or proceeds from public auction be used to pay reasonable non-personnel expenses of the seizure, storage, and maintenance of custody of any forfeited items.

IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the state's general fund.

5 Forfeiture of Items Used in Connection with Drug Offense. Amend RSA 318-B:17-b, II(e) to read as follows:

(e) The department of justice shall, within 60 days of the seizure, ~~[either] file a petition in the superior court having jurisdiction under this section [or seek administrative forfeiture pursuant to RSA 318-B:17-d].~~ If no such petition is filed ~~[or administrative procedure initiated]~~ within 60 days, the items or property interest seized shall be released or returned to the owners.

6 Forfeiture of Items Used in Connection with Drug Offense; Reference to Drug Forfeiture Fund Removed. Amend RSA 318-B:17-b, II-a(e) to read as follows:

(e) In the case of moneys, file a motion for transfer of evidence under RSA 595-A:6. Upon the court's granting of the motion the moneys shall be immediately forwarded to an interest-bearing seized asset escrow account to be administered by the attorney general. Upon resolution of the forfeiture proceeding the moneys deposited shall be transferred to the ~~[drug forfeiture]~~ **general** fund or returned to the owners thereof as directed by the court. Unless otherwise ordered by a court in a specific case, interest on all moneys deposited in the seized asset escrow account shall be deposited annually into the ~~[drug forfeiture fund established under RSA 318-B:17-c]~~ **general fund**.

7 Disposition of Funds Obtained by the Attorney General. Amend RSA 7:6-e, III to read as follows:

III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, ~~[drug forfeiture funds as provided in RSA 318-B:17-b through RSA 318-B:17-d.]~~ fines or civil penalties authorized by state law as a result of enforcement actions taken by state agencies or the attorney general, and money received on behalf of a victim or the state as restitution.

8 New Section; Budget and Appropriations; Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. Amend RSA 9 by inserting after section 4-e the following new section:

9:4-f Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. The department of justice shall include in its biennial operating budget request made pursuant to RSA 9:4, an appropriation to pay a portion of the costs of local, county, and state drug related investigations, as well as drug control law enforcement programs within New Hampshire. Such appropriation also may be used to pay extraordinary costs of local, county, and state drug prosecutions and trial expenses. Law enforcement agencies may apply to the department of justice for grants from the amount appropriated. Of the annual appropriation, \$5,000 shall be deposited into a special non-lapsing account established within the office of the state treasurer for the department of health and human services to fund drug education, prevention, and treatment services. The attorney general shall report 60 days after the close of each fiscal year to the governor and council and to the fiscal committee of the general court a summary of the grants provided to law enforcement agencies under this section for the preceding fiscal year.

9 Repeal. The following are repealed:

I. RSA 318-B:17-b, V, relative to the distribution of proceeds from items forfeited from drug offenses.

II. RSA 318-B:17-c, establishing the drug forfeiture fund.

III. RSA 318-B:17-d, relative to administrative forfeiture of items used in connection with drug offenses.

IV. RSA 6:12, I(b)(19), relative to the drug forfeiture fund.

10 Effective Date.

I. Section 8 of this act shall take effect July 1, 2016.

II. Sections 2 and 3 of this act shall take effect January 1, 2017.

III. Section 4-7 and 9 of this act shall take effect July 1, 2017.

IV. The remainder of this act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill:

I. Makes an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

II. Limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime.

III. Requires the state to deposit proceeds from forfeited property in the general fund and repeals the drug forfeiture fund.

IV. Directs the attorney general to include in the department of justice's budget request an appropriation for the cost of local, county, and state drug related enforcement actions.

V. Establishes a special non-lapsing account for the department of health and human services to fund drug education, prevention, and treatment programs.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 527-FN-A**, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making an appropriation to the department of safety for the purchase of state police cruisers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Karen Umberger for Finance. The Police Standards and Training Council is faced with a shortfall in its dedicated fund that allows the council to provide training for state and local police, both full-time and part-time officers, and for state corrections officers. Police Standards and Training is funded through penalty assessment fees paid to the courts and through plea by mail. The penalty assessment fees for FY 17 are not projected to provide sufficient revenue to cover the budgeted training requirements. This would result in new police and corrections officers not receiving required training. In order to provide the training dollars necessary for this vital service, the amendment, which replaces the bill, transfers \$500,000 to the Police Standards and Training dedicated fund. Additionally \$900,000 will be transferred for the purpose of replacing the leaking tactical center roof and repairing the disintegrated driving and parking area. The dedicated fund does not have sufficient income to support these emergency repairs. The dollars to support this appropriation will come from projected lapses that are above and beyond budgeted lapses. The second part of the bill funds cruisers for the state police which were inadvertently omitted from the budget. The \$700,000 to support this appropriation will come from the highway fund and turnpike fund. Vote 26-0.

**Amendment (1804h)**

Amend the title of the bill by replacing it with the following:

AN ACT transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, and making an appropriation to the department of safety for the purchase of state police cruisers.

Amend the bill by replacing all after the enacting clause with the following:

1 Transfers; Police Standards and Training Council Training Fund; Appropriation; Police Standards and Training Council.

I. The sum of \$500,000 is hereby transferred from the general fund to the police standards and training council training fund in the fiscal year ending June 30, 2016.

II. For the biennium ending June 30, 2017, the sum of \$900,000 is hereby appropriated to the police standards and training council for the purpose of replacing the tactical center roof and repairing the driving and parking areas.

III. For the purposes of funding the transfer made in paragraph I and the appropriation made in paragraph II, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 2015, 276, and shall transfer said sums to appropriate police standards and training council accounting units. Prior to making said transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

2 Police Standards and Training Council. For the biennium ending June 30, 2017, police standards and training council accounting units 06-87-87-870510-8980, 06-87-87-871010-8999, 06-87-87-871510-8310, and 06-87-87-872010-8139 shall be exempt from budget footnote I contained in 2015, 275:1.08.

3 Department of Safety, Division of State Police; Appropriation.

I. There is hereby appropriated to the department of safety, division of state police, the sum of \$700,000 for the biennium ending June 30, 2017 for the purpose of the acquisition and equipping of new state police cruisers to replace those that have repairs exceeding the value of the vehicle.

II. The source of funds for the appropriation made in paragraph I shall be \$540,050 as a charge against the highway fund and \$159,950 as a charge against the turnpike fund.

4 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill:

I. Transfers funds from the general fund to the police standards and training council training fund.

II. Appropriates funds from the general fund to the police standards and training council to repair the tactical center roof.

III. Appropriates funds from the highway fund and the turnpike fund to the department of safety for the purchase of police cruisers.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Len Turcotte offered floor amendment (1936h).

**Floor Amendment (1936h)**

Amend the title of the bill by replacing it with the following:

AN ACT transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

Amend the bill by replacing all after section 3 with the following:

4 Payment of Wages; Weekly or Biweekly. Amend the section heading of RSA 275:43 to read as follows:

275:43 Weekly or Biweekly.

5 Payment of Wages; Weekly or Biweekly. Amend the introductory paragraph of RSA 275:43, I to read as follows:

I. Every employer shall pay all wages due to employees [within 8 days including Sunday after expiration of the week in which the work is performed] at regular intervals not to exceed 14 days, except when permitted to pay wages less frequently as authorized by the commissioner pursuant to paragraph [II] IV or IV-a(a), on regular paydays designated in advance by the employer and at no cost to the employee:

6 Payment of Wages; Weekly or Biweekly. Amend RSA 275:43, IV and RSA 275:43, IV-a(a) to read as follows:

IV. The commissioner may, upon written petition showing good and sufficient reason, permit payment of wages [less frequently] other than weekly or biweekly, except that it shall be at least once each calendar month. In all instances, payment shall be made regularly on a predesignated date. The commissioner may prescribe the terms and conditions of such permission, and limit the duration thereof.

IV-a.(a) The commissioner may permit payment of wages less frequently than [weekly] biweekly where a school district collective bargaining agreement for hourly employees provides an option to be paid in any number of equal installments with one additional installment.

7 New Paragraph; Payment of Wages; Weekly. Amend RSA 275:43 by inserting after paragraph IV-a the following new paragraph:

IV-b. The commissioner may, on a temporary basis and after showing good and sufficient reason, require payment of wages weekly. The commissioner shall prescribe to the employer the terms, conditions, and duration of such temporary payments. Such restrictions shall only be in effect until the employer rectifies any deficiencies prescribed by the commissioner.

8 Effective Date.

I. Sections 4-7 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill:

I. Transfers funds from the general fund to the police standards and training council training fund.

II. Appropriates funds from the general fund to the police standards and training council to repair the tactical center roof.

III. Appropriates funds from the highway fund and the turnpike fund to the department of safety for the purchase of police cruisers.

IV. Permits employers to pay wages to employees weekly or biweekly.

Rep. Len Turcotte spoke in favor and yielded to questions.

On a division vote, with 162 members having voted in the affirmative, and 139 in the negative, floor amendment (1936h) was adopted.

Committee report adopted and ordered to third reading.

**SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank Byron for Finance. This bill makes changes to the operating authority of the Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery and appropriates \$3 million in additional funds to the Governor's Commission and \$2 million for supportive housing for persons with substance abuse disorders. The amendment requires the \$5 million to come from budgeted but unspent funds (lapses) beyond those already budgeted and appropriated. The amendment also requires the commission to produce performance reports to National Outcome Measurements Standards. Vote 23-1.

#### Amendment (1872h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

Amend RSA 12-J:4, III(b)(11) as inserted by section 7 of the bill by replacing it with the following:

(11) Performance outcomes pursuant to National Outcomes Measurement Standards (NOMS) as required with federal funding sources.

(12) Any other information requested by the governor or general court.

Amend section 10 of the bill by inserting after paragraph II the following new paragraph:

III. Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017.

Amend the bill by deleting section 11 and renumbering the original sections 12-14 to read as 11-13, respectively.

### AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission and the New Hampshire housing finance authority.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Hoell offered floor amendment (1922h).

### Floor Amendment (1922h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, making supplemental appropriations to the commission and the New Hampshire housing finance authority, and repealing the license requirement for carrying a concealed pistol or revolver.

Amend the bill by replacing all after section 12 with the following:

13 Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows:

159:6 License to Carry.

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose~~[-, and that the applicant is a suitable person to be licensed]~~, **unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm**. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for ~~[4]~~ 5 years. When required, license renewal shall take place within the month of the ~~[fourth]~~ fifth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. ***The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009.*** No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew a license to carry for a resident or nonresident, unless requested by the applicant.

**III. The availability of a license to carry a loaded pistol or revolver under this section or under any other provision of law shall not be construed to impose a prohibition on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person, whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if that individual is not otherwise prohibited by statute from possessing a firearm in the state of New Hampshire.**

14 Pistols and Revolvers; Reciprocity. RSA 159:6-d is repealed and reenacted to read as follows:

159:6-d Reciprocity. The director of the division of state police shall negotiate and enter into reciprocal agreements with other jurisdictions to recognize in those jurisdictions the validity of the license issued under RSA 159:6. The director shall apply to every jurisdiction with which New Hampshire does not have a reciprocity agreement, at least once every 5 years to obtain recognition in those jurisdictions of the license issued under RSA 159:6. Any such agreement executed shall not expire unless an expiration date is required under the statutes of the reciprocal jurisdiction.

15 Repeal. RSA 159:4, relative to requiring a license to carry a concealed pistol or revolver, is repealed.

16 Effective Date.

I. Sections 13-15 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill makes supplemental appropriations to the commission and the New Hampshire housing finance authority.

The bill also:

I. Increases the length of time for which a license to carry a pistol or revolver is valid.

II. Allows a person to carry a loaded, concealed pistol or revolver without a license provided such person is not otherwise prohibited by law.

III. Repeals the requirement to obtain a license to carry a concealed pistol or revolver.

Reps. Hoell and Hannon spoke in favor and yielded to questions.

Rep. Kurk spoke against.

Rep. McConnell requested a roll call; sufficiently seconded.

**YEAS 98 NAYS 204**

### YEAS - 98

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Gallagher, Brian
Howard, Raymond	Hurt, George	Spanos, Peter	Fraser, Valerie

#### CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn
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#### CHESHIRE

Hunt, John	McConnell, James	Sterling, Franklin
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#### COOS

Rideout, Leon

#### GRAFTON

Brown, Duane	Johnson, Eric	Hull, Robert
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#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Byron, Frank	Coffey, James
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Hogan, Edith



Belanger, James  
Murphy, Keith  
Pellegriano, Anthony  
Shaw, Barbara  
Sullivan, Victoria

Lachance, Joseph  
Notter, Jeanine  
Christie, Rick  
Simmons, Tammy

McLean, Mark  
Ohm, Bill  
Sanborn, Laurie  
Twombly, Timothy

Murotake, David  
Parison, James  
Seidel, Carl  
Ulery, Jordan

### **MERRIMACK**

Brewster, Michael  
Hill, Gregory  
Marple, Richard

McGuire, Carol  
Hoell, J.R.  
Martin, John

Long, Douglas  
Horn, Werner  
Seaworth, Brian

McGuire, Dan  
Kuch, Bill

### **ROCKINGHAM**

Abramson, Max  
Dean-Bailey, Yvonne  
Gannon, William  
Itse, Daniel  
Gordon, Richard  
Vose, Michael

Baldasaro, Alfred  
Doucette, Fred  
Green, Dennis  
Kappler, Lawrence  
Schroadter, Adam  
Weyler, Kenneth

Bates, David  
Duarte, Joe  
Harris, Jeffrey  
Kolodziej, Walter  
Spillane, James

Cook, Allen  
Chase, Francis  
Hodgdon, Bruce  
Osborne, Jason  
True, Chris

### **STRAFFORD**

Beaudoin, Steven  
Jones, Laura  
Leeman, Don

Graham, Robert  
Kaczynski, Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

### **SULLIVAN**

Converse, Larry

Laware, Thomas

### **NAYS - 204**

### **BELKNAP**

Fields, Dennis

Flanders, Donald

### **CARROLL**

Butler, Edward  
Schmidt, Stephen

McConkey, Mark  
Ticehurst, Susan

Nelson, Bill  
Umberger, Karen

Parker, Harold

### **CHESHIRE**

Abbott, Michael  
Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy

Tilton, Benjamin  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

Berch, Paul  
Roberts, Kris  
Pearson, William  
Tatro, Bruce

### **COOS**

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihn, Wayne  
Thomas, Yvonne

Richardson, Herbert

### **GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Hennessey, Erin  
Ladd, Rick  
Nordgren, Sharon  
Townsend, Charles

Bailey, Brad  
Ford, Susan  
Hennessey, Martha  
Piper, Wendy

Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Smith, Suzanne

### **HILLSBOROUGH**

Griffin, Barbara  
Christensen, Chris  
Danielson, David  
Flanagan, Jack  
Gonzalez, Carlos

Balcom, John  
Roberts, Carol  
DiSilvestro, Linda  
Freitas, Mary  
Gorman, Mary

Baroody, Benjamin  
Cohen, Alan  
Donovan, Daniel  
Gagne, Larry  
Hansberry, Daniel

Barry, Richard  
Cornell, Patricia  
Edwards, Elizabeth  
Gidge, Kenneth  
Hansen, Peter

Harvey, Suzanne  
 Infantine, William  
 Christiansen, Lars  
 Mangipudi, Latha  
 Long, Patrick  
 Rouillard, Claire  
 Snow, Kendall  
 Smith, Timothy  
 Woodbury, David

Heath, Mary  
 Jack, Martin  
 LeBrun, Donald  
 Manley, Jonathan  
 Pierce, David  
 Rowe, Robert  
 Soucy, Timothy  
 Takesian, Charlene

Herbert, Christopher  
 Rice, Kimberly  
 Leishman, Peter  
 McNamara, Richard  
 Porter, Marjorie  
 Scountsas, Lisa  
 Souza, Kathleen  
 Williams, Kermit

Hinch, Richard  
 Kurk, Neal  
 O'Brien, Michael  
 Brown, Pamela  
 Walsh, Robert  
 Shattuck, Gilman  
 Straight, Phillip  
 Wolf, Terry

### MERRIMACK

Turcotte, Alan  
 Carson, Clyde  
 Gile, Mary  
 Kidder, David  
 Moffett, Howard  
 Rogers, Katherine  
 Walsh, Thomas

French, Barbara  
 Deloge, Helen  
 Frazer, June  
 Kotowski, Frank  
 Myler, Mel  
 Saunderson, George  
 Wallner, Mary Jane

Bartlett, Christy  
 Doherty, David  
 Karrick, David  
 Luneau, David  
 Patten, Dick  
 Schuett, Dianne  
 Wheeler, Deborah

Bradley, Paula  
 Ebel, Karen  
 Kenison, Linda  
 MacKay, James  
 Ratzki, Mario  
 Shurtleff, Stephen

### ROCKINGHAM

Christie, Andrew  
 Borden, David  
 Cushing, Robert  
 Edgar, Michael  
 Fesh, Robert  
 Hagan, Joseph  
 Ward, Joanne  
 Major, Norman  
 McMahon, Charles  
 Gordon, Pamela  
 Sherman, Thomas

Abrami, Patrick  
 Cahill, Michael  
 Thomas, Douglas  
 Elliott, Robert  
 Francese, Paula  
 Heffron, Frank  
 Katsakiores, Phyllis  
 Manning, John  
 Milz, David  
 Packard, Sherman  
 Simpson, Alexis

Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Devine, James  
 Emerick, J. Tracy  
 Ward, Gerald  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 Matthews, Carolyn  
 Nigrello, Robert  
 Potucek, John  
 Sytek, John

Berrien, Skip  
 Cardon, G. Thomas  
 DiFranco, Debbie  
 Rice, Frederick  
 Guthrie, Joseph  
 Introne, Robert  
 Griffin, Mary  
 McBeath, Rebecca  
 O'Connor, John  
 Tilton, Rio  
 Welch, David

### STRAFFORD

Baber, William  
 Burton, Wayne  
 Gray, James  
 Schmidt, Peter  
 Treleaven, Susan

Berube, Roger  
 Cheney, Catherine  
 Horrigan, Timothy  
 Rollo, Deanna  
 Verschueren, James

Bickford, David  
 Cilley, Jacalyn  
 Kaen, Naida  
 Spang, Judith  
 Wall, Janet

Bixby, Peter  
 DiSesa, Len  
 Smith, Marjorie  
 Sprague, Dale

### SULLIVAN

Schmidt, Andrew  
 Grenier, James  
 Rollins, Skip

Cloutier, John  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Oxenham, Lee

and floor amendment (1922h) failed.

Committee report adopted and ordered to third reading.

The House recessed at 5:45 p.m.

### RECESS

The House reconvened at 6:30 p.m.

(Speaker Jasper in the Chair)

### REGULAR CALENDAR CONT'D

**SB 376-FN**, relative to wildlife corridors. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jonathan Manley for the Majority of Fish and Game and Marine Resources. This bill directs the Department of Fish and Game, in collaboration with the Department of Transportation and

Department of Environmental Services, to study, identify, and monitor possible wildlife corridors for the protection and health of animals. It suggests a coalition of agencies to work together when construction and reconstruction can benefit these areas, such as the rebuilding of roads to allow safe passage of animals from one side to the other. Vote 11-5.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This bill, although well intentioned, is not ready for law. The Department of Fish and Game does not have adequate funding or plans on how to proceed with a mandated study at this time. If the department wants to look at possible wildlife corridors, they can do so without this bill mandating it must be done, and they can do so within their budget at their own pace.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Spillane spoke against.

Rep. Manley spoke in favor.

Majority committee report adopted and ordered to third reading.

**SB 325**, relative to vaccines administered by pharmacists. **REFER FOR INTERIM STUDY.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill added the MMR vaccine to the list of vaccines that may be administered by pharmacists. The committee considered adding more vaccines to the bill. Concerns were expressed that adding more vaccines to the list without an effective registry to ensure the safe administration of the vaccines. Concern was also expressed about departing further from the medical home model of health care. Because of the lack of consensus on the committee, it was decided to refer for interim study. Vote 13-4.

Committee report adopted.

**SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bill Nelson for Health, Human Services and Elderly Affairs. This bill as amended adds naturopaths to the definition of practitioner for the purposes of the controlled drug prescription health and safety program. It also establishes a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. The goal is to require controlled drugs (when available) to be rendered useless if tampered with. Vote 18-0.

#### **Amendment (1313h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Commission to Study Requiring Controlled Drugs and Controlled Drug Analogs to be Provided in Abuse-Deterrent Formulation. Amend RSA 318-B by inserting after section 40 the following new section:

318-B:41 Commission Established; Membership; Duties.

I. There is established a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

(a) The members of the commission shall be as follows:

(1) One member of the senate, appointed by the president of the senate.

(2) One member of the house of representatives, appointed by the speaker of the house of representatives.

(3) The commissioner of the department of health and human services, or designee.

(4) A pharmacist, appointed by the board.

(5) Three licensed physicians, one of whom shall specialize in pain medicine, one of whom shall specialize in addiction medicine, and one of whom practices in the field of primary care medicine, appointed by the board of medicine.

(6) An APRN, appointed by the New Hampshire board of nursing.

(7) A representative of an abuse-deterrent drug manufacturer, appointed by the governor.

(8) A representative of an insurance company, appointed by the governor.

(9) The executive director of New Futures, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

II.(a) The commission shall study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation when available. The commission's study shall include, but not be limited to:

(1) The cost effectiveness of requiring such drugs to be provided in abuse-deterrent formulation.

(2) Whether the abuse-deterrent formulation of the drugs work.

(3) Whether the abuse-deterrent formulation of such drugs are readily available.

(4) The effect requiring such drugs to be provided in abuse-deterrent formulation will have on insurance premiums.

(5) A review of current insurance carrier coverage and prior authorization practices.

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

IV. The commission shall make a report on or before November 1, 2016 indicating its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

3 Repeal. RSA 318-B:41, relative to a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 1, 2016.

II. Section 2 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect January 1, 2017.

### AMENDED ANALYSIS

This bill:

I. Adds naturopaths to the definition of practitioner for the purposes of the controlled drug prescription health and safety program.

II. Establishes a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 534-FN**, to implement a system of care for children's behavioral health. **OUGHT TO PASS.** Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation is the result of extensive work by the New Hampshire Children's Behavioral Health Collaborative. It supplements the planning of the New Hampshire Mental Health Commission resulting in a comprehensive state behavioral health plan. Over fifty organizations participate in the work of the Children's Collaborative. This plan is based on a "best practice" approach known as a System of Care. The plan is described as "an integrated and comprehensive delivery system that is family-driven, youth-guided, community based and culturally and linguistically competent." Vote 18-0.  
Rep. Carol McGuire requested a roll call; sufficiently seconded.

**YEAS 197 NAYS 99**

**YEAS - 197**

**BELKNAP**

Tilton, Franklin

Fields, Dennis

Flanders, Donald

**CARROLL**

Buco, Thomas

Butler, Edward

Chandler, Gene

Cordelli, Glenn

McConkey, Mark

Nelson, Bill

Schmidt, Stephen

Ticehurst, Susan

Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Roberts, Kris  
Pearson, William  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Phillips, Larry  
Weber, Lucy

Tilton, Benjamin  
Emerson, Susan  
Mann, John  
Robertson, Timothy

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

**GRAFTON**

Abel, Richard  
Gionet, Edmond  
Maes, Kevin  
Smith, Suzanne

Almy, Susan  
Higgins, Patricia  
Massimilla, Linda  
Sykes, George

Cooney, Mary  
Ladd, Rick  
Nordgren, Sharon  
Townsend, Charles

Ford, Susan  
Hennessey, Martha  
Piper, Wendy

**HILLSBOROUGH**

Griffin, Barbara  
Biggie, Barbara  
Danielson, David  
Flanagan, Jack  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
Pierce, David  
Rouillard, Claire  
Snow, Kendall  
Takesian, Charlene

Balcom, John  
Roberts, Carol  
DiSilvestro, Linda  
Freitas, Mary  
Gorman, Mary  
Heath, Mary  
Kurk, Neal  
O'Brien, Michael  
Brown, Pamela  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy  
Vann, Ivy

Baroody, Benjamin  
Cohen, Alan  
Donovan, Daniel  
Gagne, Larry  
Guerette, C. Lee  
Hinch, Richard  
Christiansen, Lars  
Mangipudi, Latha  
Long, Patrick  
Proulx, Mark  
Shattuck, Gilman  
Straight, Phillip  
Wolf, Terry

Barry, Richard  
Cornell, Patricia  
Edwards, Elizabeth  
Gargas, Carolyn  
Hansberry, Daniel  
Infantine, William  
LeBrun, Donald  
Manley, Jonathan  
Pellegrino, Anthony  
Walsh, Robert  
Shaw, Barbara  
Smith, Timothy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Doherty, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Walsh, Thomas

Bradley, Paula  
Ebel, Karen  
Kidder, David  
Moffett, Howard  
Saunderson, George  
Wallner, Mary Jane

Carson, Clyde  
Frazer, June  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne  
Wheeler, Deborah

Deloge, Helen  
Karrick, David  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Chase, Francis  
Hagan, Joseph  
Sweeney, Joe  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Tilton, Rio  
Weyler, Kenneth

Abrami, Patrick  
Cardon, G. Thomas  
Doucette, Fred  
Fesh, Robert  
Heffron, Frank  
Ward, Joanne  
Major, Norman  
McMahon, Charles  
Gordon, Pamela  
Simpson, Alexis

Berrien, Skip  
Cushing, Robert  
Edgar, Michael  
Ward, Gerald  
Hoelzel, Kathleen  
Kolodziej, Walter  
Manning, John  
Milz, David  
Packard, Sherman  
Sytek, John

Cahill, Michael  
Devine, James  
Elliott, Robert  
Guthrie, Joseph  
Introne, Robert  
Lovejoy, Patricia  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Welch, David

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Schmidt, Peter  
Treleaven, Susan

Berube, Roger  
Cilley, Jacalyn  
Ward, Kenneth  
Rollo, Deanna  
Verschueren, James

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Spang, Judith  
Wall, Janet

Bixby, Peter  
Gray, James  
Smith, Marjorie  
Sprague, Dale

**SULLIVAN**

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

**NAYS - 99****BELKNAP**

Aldrich, Glen  
Hurt, George

Dumais, Russell  
Spanos, Peter

Gallagher, Brian  
Fraser, Valerie

Howard, Raymond

**CARROLL**

Avellani, Lino

Comeau, Ed

Parker, Harold

**CHESHIRE**

McConnell, James

Sterling, Franklin

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Johnson, Eric

Brown, Duane  
Hull, Robert

Darrow, Stephen

Hennessey, Erin

**HILLSBOROUGH**

Adams, Christopher  
Byron, Frank  
Estevez, Eric  
Hogan, Edith  
McLean, Mark  
Ohm, Bill  
Scoutsas, Lisa  
Twombly, Timothy

Boehm, Ralph  
Coffey, James  
Ferreira, Elizabeth  
Belanger, James  
Murotake, David  
Parison, James  
Seidel, Carl  
Ulery, Jordan

Bouldin, Amanda  
Eastman, Eric  
Gould, Linda  
Rice, Kimberly  
Murphy, Keith  
Christie, Rick  
Simmons, Tammy  
Sullivan, Victoria

Burt, John  
Edelblut, Frank  
Hansen, Peter  
Lachance, Joseph  
Notter, Jeanine  
Sanborn, Laurie  
Souza, Kathleen

**MERRIMACK**

Brewster, Michael  
Hill, Gregory  
Marple, Richard

McGuire, Carol  
Hoell, J.R.  
Martin, John

Long, Douglas  
Horn, Werner  
Seaworth, Brian

McGuire, Dan  
Kuch, Bill

**ROCKINGHAM**

Abramson, Max  
Cook, Allen  
Emerick, J. Tracy  
Harris, Jeffrey  
Katsakiores, Phyllis  
Schroadter, Adam

Baldasaro, Alfred  
Thomas, Douglas  
Rice, Frederick  
Hodgdon, Bruce  
Osborne, Jason  
Spillane, James

Barnes, Arthur  
Dean-Bailey, Yvonne  
Gannon, William  
Itse, Daniel  
Potucek, John  
True, Chris

Bates, David  
Duarte, Joe  
Green, Dennis  
Kappler, Lawrence  
Gordon, Richard  
Vose, Michael

**STRAFFORD**

Beaudoin, Steven  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

Cheney, Catherine  
Jones, Laura  
Leeman, Don

Graham, Robert  
Kaczynski, Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

**SULLIVAN**

Laware, Thomas

and the committee report was adopted and ordered to third reading.

**SB 331**, relative to fulfilling the requirement for a notarized signature electronically. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Sylvia for the Majority of Judiciary. This bill would add to the chapter in our laws under statutory construction a section for "Notarized Signatures." It would allow an electronic signature "under

the penalty of perjury" to satisfy the requirement for a notarized signature. This may be convenient in the short term to avoid the need to have a notary public verify that you are in fact the person signing a document and that you are doing so of your own free will, but in the long run documents signed electronically and challenged in court will cause many more problems and any savings will be lost. Documents that do not require the higher standard of notarization, filed with the court electronically, are currently allowed under RSA 21:52 ("Under Oath") which makes an electronic signature "under the penalty of perjury." Electronic signatures and the documents to which they are attached are subject to hacking and are only as good as the security systems in place to protect them. Any document important enough to warrant notarization is not currently protected by a simple electronic signature. Vote 14-6. Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that signing electronically filed documents that currently require notarization under penalty of perjury (which mirrors federal law in place since 1976) would improve service to our citizens and facilitate the state's ability to deliver services efficiently. We note that any agency can retain the current notarization requirements by simply requiring the document be filed by hard copy. We believe this improvement can be implemented with no significant loss of surety.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, with 240 members having voted in the affirmative, and 56 in the negative, the majority committee report was adopted.

**SB 387**, relative to the disposition of ward accounts. **OUGHT TO PASS WITH AMENDMENT.** Rep. Claire Rouillard for Judiciary. This bill allows a guardian to file an affidavit in the probate court, 30 days after the ward's death, to dispose of personal property remaining in the possession of the guardian belonging to the deceased, if the account is no more than \$5,000. It also provides that the probate court may order payment of known debts of the deceased, social security representative payee accounts, and any balance paid to the ward's beneficiaries. The probate court may also order the guardian to pay the balance of the estate to the state treasurer to be held as abandoned property pursuant to statute. If there is a will, property will be disbursed pursuant to the will. This bill is similar to current law RSA 151-A:15, which allows a nursing home administrator to file an affidavit in probate court to dispose of the deceased personal property. Passage of this bill would allow the Office of Public Guardian to file for disbursement of funds contained in many small inactive accounts. Vote 16-0.

#### **Amendment (1401h)**

Amend RSA 464-A:40, V(a) as inserted by section 1 of the bill by replacing it with the following:

V.(a) If, within 30 days after the date of a testate or intestate ward's death no petition for probate has been filed under any section of RSA 553 and the gross value of the personal property remaining in the possession of the guardian belonging to the deceased, including any amount left in designated accounts for the ward, is no more than \$5,000, the guardian may file in the probate court in the county having jurisdiction over the guardianship an affidavit for the purpose of disposing of such deceased ward's estate. Once approved by the court, the guardian shall be authorized to dispose of the ward's accounts in a manner consistent with the court's order. The form of the affidavit, and the rules governing proceedings under this section, shall be provided by the probate court pursuant to RSA 547:33.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 426**, establishing an end-of-life choices study commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Larry Phillips for the Majority of Judiciary. A diverse and bipartisan group of sponsors and committee members believe that a broad-ranging commission should investigate end-of-life care and choices aimed at greater quality at the end of life for citizens of the state. The commission membership involves a diverse set of organizations, expertise and perspectives necessary for an effective and thoughtful study. Vote 9-7.

Rep. Joseph Hagan for the Minority of Judiciary. The minority believes that bill would give a forum for the well-funded proponents of physician-assisted suicide to drive discussion of other issues, which were in the committee amendment, out of deliberations. While we strongly believe in improving palliative care for the terminally ill, the minority cannot support any process that violates human dignity by actively terminating human lives.

**Majority Amendment (1257h)**

Amend RSA 137-J:38, II(a) as inserted by section 1 of the bill by replacing it with the following:

II.(a) The commission's study shall include, but not be limited to, reviewing RSA 137-J, investigating the positive and negative effects of potential legislation relating to end-of-life care and end-of-life choices, innovation practices of other states, how to encourage careful and responsible deliberation about this issue, and any other matter the commission deems relevant to its objective.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Reps. Wuelper and Groen spoke against.

Reps. Hagan and Baldasaro spoke against and yielded to questions.

Rep. Phillips spoke in favor and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 123 NAYS 174****YEAS - 123****BELKNAP**

Aldrich, Glen

Fields, Dennis

**CARROLL**

Butler, Edward

Ticehurst, Susan

Umberger, Karen

**CHESHIRE**

Ames, Richard

Tilton, Benjamin

Berch, Paul

Bordenet, John

Eaton, Daniel

Ley, Douglas

Mann, John

McConnell, James

Parkhurst, Henry

Pearson, William

Phillips, Larry

Robertson, Timothy

Shepardson, Marjorie

Weber, Lucy

**COOS**

Fruborg, Alethea

**GRAFTON**

Abel, Richard

Almy, Susan

Cooney, Mary

Ford, Susan

Higgins, Patricia

Hennessey, Martha

Maes, Kevin

Nordgren, Sharon

Piper, Wendy

Smith, Suzanne

Sykes, George

Townsend, Charles

**HILLSBOROUGH**

Ammon, Keith

Griffin, Barbara

Baroody, Benjamin

Bouldin, Amanda

Roberts, Carol

Cohen, Alan

Cornell, Patricia

Danielson, David

DiSilvestro, Linda

Edwards, Elizabeth

Estevez, Eric

Freitas, Mary

Gargas, Carolyn

Gidge, Kenneth

Goley, Jeffrey

Goulette, William

Guerette, C. Lee

Harvey, Suzanne

Heath, Mary

Jack, Martin

Kurk, Neal

Leishman, Peter

O'Brien, Michael

Mangipudi, Latha

Manley, Jonathan

McNamara, Richard

Brown, Pamela

Long, Patrick

Porter, Marjorie

Proulx, Mark

Scoutsas, Lisa

Shattuck, Gilman

Snow, Kendall

Smith, Timothy

Takesian, Charlene

Vann, Ivy

Wolf, Terry

Woodbury, David

**MERRIMACK**

Bradley, Paula

Carson, Clyde

Long, Douglas

Deloge, Helen

Doherty, David

Ebel, Karen

Frazer, June

Karrick, David

Kenison, Linda

Kidder, David

Luneau, David

MacKay, James

Moffett, Howard

Myler, Mel

Ratzki, Mario

Saunderson, George

Schuett, Dianne

Shurtleff, Stephen



**ROCKINGHAM**

Berrien, Skip  
DiFranco, Debbie  
Lovejoy, Patricia  
Gordon, Pamela

Cahill, Michael  
Edgar, Michael  
McBeath, Rebecca  
Pantelakos, Laura

Cushing, Robert  
Ward, Gerald  
Milz, David  
Simpson, Alexis

Dean-Bailey, Yvonne  
Heffron, Frank  
Nigrello, Robert

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Treleaven, Susan

Bickford, David  
DiSesa, Len  
Smith, Marjorie  
Verschueren, James

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter

Burton, Wayne  
Ward, Kenneth  
Spang, Judith

**SULLIVAN**

Converse, Larry  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

Irwin, Virginia

O'Hearne, Andrew

**NAYS - 174****BELKNAP**

Dumais, Russell  
Howard, Raymond

Tilton, Franklin  
Hurt, George

Flanders, Donald  
Spanos, Peter

Gallagher, Brian  
Fraser, Valerie

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Schmidt, Stephen

Buco, Thomas  
McConkey, Mark

Chandler, Gene  
Nelson, Bill

Comeau, Ed  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Sterling, Franklin

Emerson, Susan  
Tatro, Bruce

Hunt, John

Roberts, Kris

**COOS**

Hatch, William  
Theberge, Robert

Moynihn, Wayne  
Tholl, John

Richardson, Herbert  
Thomas, Yvonne

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

Johnson, Eric  
Massimilla, Linda

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Donovan, Daniel  
Flanagan, Jack  
Hansberry, Daniel  
Infantine, William  
Lachance, Joseph  
Murphy, Keith  
Pellegrino, Anthony  
Rouillard, Claire  
Shaw, Barbara  
Straight, Phillip

Balcom, John  
Burt, John  
Eastman, Eric  
Gagne, Larry  
Hansen, Peter  
Belanger, James  
LeBrun, Donald  
Notter, Jeanine  
Pierce, David  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy

Barry, Richard  
Byron, Frank  
Edelblut, Frank  
Gorman, Mary  
Hinch, Richard  
Rice, Kimberly  
McLean, Mark  
Ohm, Bill  
Christie, Rick  
Sanborn, Laurie  
Soucy, Timothy  
Ulery, Jordan

Biggie, Barbara  
Coffey, James  
Ferreira, Elizabeth  
Gould, Linda  
Hogan, Edith  
Christiansen, Lars  
Murotake, David  
Parison, James  
Walsh, Robert  
Seidel, Carl  
Souza, Kathleen  
Sullivan, Victoria

**MERRIMACK**

Turcotte, Alan  
Hill, Gregory  
Kuch, Bill  
Seaworth, Brian

Brewster, Michael  
Hoell, J.R.  
Marple, Richard  
Walsh, Thomas

McGuire, Carol  
Horn, Werner  
Martin, John  
Wheeler, Deborah

McGuire, Dan  
Kotowski, Frank  
Rogers, Katherine

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Abramson, Max	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Cook, Allen	Thomas, Douglas	Devine, James	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Chase, Francis
Rice, Frederick	Fesh, Robert	Gannon, William	Green, Dennis
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Sweeney, Joe
Ward, Joanne	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McMahon, Charles	O'Connor, John	Osborne, Jason	Packard, Sherman
Potucek, John	Gordon, Richard	Tilton, Rio	Schroadter, Adam
Spillane, James	Sytek, John	True, Chris	Vose, Michael
Welch, David	Weyler, Kenneth		

**STRAFFORD**

Beaudoin, Steven	Berube, Roger	Cheney, Catherine	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Leeman, Don
Pitre, Joseph	Rollo, Deanna	Sprague, Dale	Wall, Janet
Whitehouse, Joshua	Wuelper, Kurt		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Grenier, James	Laware, Thomas
Smith, Steven			

and the majority committee report failed.

Rep. Barbara Griffin voted Yea and intended to vote Nay.

Rep. Wuelper moved the minority committee report of Inexpedient to Legislate.

Minority committee report adopted.

**SB 416**, relative to flexible working arrangements in employment. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dianne Schuett for the Majority of Labor, Industrial and Rehabilitative Services. The bill prohibits an employer from retaliating against an employee who requests a flexible work schedule. The committee heard no testimony in opposition at the hearing and nearly unanimous support subsequent to the hearing. As amended by the Senate, the bill states it does not require the employer to accommodate the request and that non-accommodation shall not create a cause of action. The committee heard from a Department of Labor attorney that it has a straightforward anti-retaliation provision that the department has defined and can be easily administered. The vote reflects the bipartisan support of the committee. Vote 13-5.

Rep. Tammy Simmons for the Minority of Labor, Industrial and Rehabilitative Services. This is vaguely worded legislation that has the potential for several unintended consequences. The intent of this bill is to prohibit an employer from "retaliating" against an employee for requesting a flexible work schedule, yet the bill contains no definitive meaning or examples of retaliation and attempts to define "retaliate" only produced subjective definitions. It is of value to remember that NH is an "at will" state, meaning any employer can dismiss any employee without cause at any time. The bill's language also states that it is not construed to require an employer to accommodate a flex work schedule nor does it construe a cause of action, yet both of these points suggest the potential for lawsuits at worse or unnecessary administrative actions by the Dept. of Labor in the least. The language further creates the possibility that potential employers might be discouraged from hiring certain employees to avoid potential actions against them down the road. It was noted during testimony that half of businesses currently offer such flex work schedules, indicating that many employers see value in such an arrangement already. What works for some employers does not or cannot work for others. Each employer and employee currently mutually agree to pay, benefits, and other employment requirements when the employee is hired. The need for further regulations which would cause interference with this employer-employee relationship is not business-friendly. While the minority of the committee finds the intent of this bill to be laudable, the bill, as amended by the Senate, should be voted Inexpedient to Legislate.

The question being adoption of the majority committee report of Ought to Pass. On a division vote, with 153 members having voted in the affirmative, and 140 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 429**, changing statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act.” **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass with Amendment:** This bill was proposed to update the references in state law to the federal “Workforce Innovation and Opportunity Act of 2014” from the 1998 version. It also updates references to several federal databases. These databases are used by the state to track the success of workforce training programs when graduates of such programs are employed in a different state than where the training took place. The committee recognizes that this bill is needed so that we may continue to evaluate federally funded training programs in our Career and Technical Education (CTE) schools, community college system, etc. using aggregate data on earnings by program. This information helps determine which programs are producing improved wages for participants working in New Hampshire or elsewhere. The United States Department of Labor anticipates a change in the program name and the Department of Employment Security (DES) has requested that we continue participation in the program as long as certain conditions are met. Limitations on the use of data are contained in the federal law, but this was unclear when we held the hearing on this bill. The committee amended the bill but split in the final vote tally. All personal identifying information is removed from the data, which consists of median aggregated wages in specific job fields, and all standard educational privacy requirements are also honored and upheld, thereby protecting our constituents while furthering their pursuit of new job training and job skills. The committee split centers on the automatic conformance to changes to the federal program, which the adopted amendment deleted. One floor amendment incorporates this change and will ensure that the data is used only for the purposes intended, even if federal law or interpretation changes. This reflects the philosophy that government program changes should be examined by the legislature and not delegated away by automatic adoption by reference. Although some members of the committee felt that more restrictive language was needed so that DES must return to the legislature for consent, others felt that sufficient oversight is provided by the Advisory Council on Unemployment Compensation and that there is no motivation for future heads of DES to act in other than the best interests of our state. This position is reflected in another floor amendment.

Rep. William Infantine

Rep. Infantine moved Ought to Pass with Amendment and offered floor amendment (1894h).

#### **Floor Amendment (1894h)**

Amend the title of the bill by replacing it with the following:

AN ACT changing statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act” and relative to the provision of aggregate statistical reports to certain workforce training programs.

Amend RSA 282-A:118, V as inserted by section 2 of the bill by replacing it with the following:

V. That for the purpose of assessing governmental performance and accountability, the commissioner of the department of employment security may provide information to the Wage Record Interchange System, *the Wage Record Interchange System 2, and the Federal Employment Data Exchange System*, developed by the U.S. Department of Labor as administered by the U.S. Department of Labor, or its designee, and utilized by each state’s Performance Accountability and Customer Information Agency (PACIA). The use of the information shall be limited to the purposes contained in the federal [~~Workforce Investment Act~~] *Workforce Innovation and Opportunity Act of 2014* or the Wagner-Peyser Act. *The department may only provide aggregate statistical reports to entities participating in federal or state supported workforce training programs and only for purposes of assessment and evaluation of those programs. The department shall require any such qualifying entity to enter into an agreement with the department which sets forth terms and conditions that are consistent with federal and state law prior to being provided any aggregate statistical reports.* Information under this paragraph shall only be provided upon a finding by the commissioner that sufficient guarantees of continued confidentiality are in place;

## AMENDED ANALYSIS

This bill changes statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act.” This bill also restricts the provision of certain aggregate statistical reports to entities participating in federal or state supported workforce training programs.  
Rep. Infantine withdrew his motion of offering floor amendment (1894h).

## MOTION TO LAY ON THE TABLE

Rep. Len Turcotte moved that **SB 429**, changing statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act” and relative to the provision of aggregate statistical reports to certain workforce training programs, be laid on the table.  
On a division vote, with 139 members having voted in the affirmative, and 145 in the negative, the motion failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Infantine offered floor amendment (1897h).

## Floor Amendment (1897h)

Amend the title of the bill by replacing it with the following:

AN ACT changing statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act” and relative to the provision of aggregate statistical reports to certain workforce training programs.

Amend RSA 282-A:118, V as inserted by section 2 of the bill by replacing it with the following:

V. That for the purpose of assessing governmental performance and accountability, the commissioner of the department of employment security may provide information to the Wage Record Interchange System, *the Wage Record Interchange System 2, the Federal Employment Data Exchange System, or any other similar system or combination thereof in effect on or before July 1, 2018* developed by the U.S. Department of Labor as administered by the U.S. Department of Labor, or its designee, and utilized by each state’s Performance Accountability and Customer Information Agency (PACIA). The use of the information shall be limited to the purposes contained in the federal [~~Workforce Investment Act~~] *Workforce Innovation and Opportunity Act of 2014* or the Wagner-Peyser Act. *The department may only provide aggregate statistical reports to entities participating in federal or state supported workforce training programs and only for purposes of assessment and evaluation of those programs. The department shall require any such qualifying entity to enter into an agreement with the department which sets forth terms and conditions that are consistent with federal and state law prior to being provided any aggregate statistical reports.* Information under this paragraph shall only be provided upon a finding by the commissioner that sufficient guarantees of continued confidentiality are in place;

## AMENDED ANALYSIS

This bill changes statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act.” This bill also restricts the provision of certain aggregate statistical reports to entities participating in federal or state supported workforce training programs.

Rep. Infantine spoke in favor and yielded to questions.

Rep. Len Turcotte spoke against.

Rep. Ley spoke in favor.

Floor amendment (1897h) was adopted.

Motion of Ought to Pass with Amendment adopted and ordered to third reading.

## MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Infantine moved that the House reconsider its action whereby, on a voice vote, the House adopted the motion of Ought to Pass with Amendment on **SB 429**, changing statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act” and relative to the provision of aggregate statistical reports to certain workforce training programs.

On a division vote, with 112 members having voted in the affirmative, and 173 in the negative, the motion failed.

**REGULAR CALENDAR CONT'D**

**SB 66**, relative to the naming of areas of the state house complex. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman Packard for Legislative Administration. Speaker George Roberts served the State of New Hampshire honorably for 7 terms in the House of Representatives. As Speaker of the House, he was instrumental in the acquisition and renovation of 'The Old Post Office,' which gave the General Court an office building across from the State House, to better serve the citizens of our state. This bill names the Legislative Office Building lobby the George Roberts Hall in recognition of his achievements and service. The Legislative Administration Committee voted unanimously to recommend adoption of this bill with an amendment. The Senate version of the bill required the naming of areas in the State House complex to be approved by the Joint Legislative Historical Committee and the Joint Committee on Legislative Facilities. The committee amendment returns the bill to its original language. Vote 9-0.

**Amendment (1486h)**

Amend the title of the bill by replacing it with the following:

AN ACT naming the lobby of the legislative office building after former speaker of the house George Roberts.

Amend the bill by replacing all after the enacting clause with the following:

1 Legislative Findings. George Roberts served 14 years in the New Hampshire house of representatives including being elected as speaker of the house from 1975 through 1980. He was actively involved in the National Conference of State Legislatures from its creation in 1975 and served as its president in 1979-80. Among his many legislative initiatives include the renovation of the Old Post Office as the Legislative Office Building of today. Therefore in recognition of his many contributions to the citizens of New Hampshire and the New Hampshire legislature, the general court hereby names the lobby of the Legislative Office Building the George Roberts Hall.

2 Legislative Office Building; George Roberts Hall. The lobby of the Legislative Office Building is hereby named George Roberts Hall, for former speaker of the house, the Honorable George Roberts.

3 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill names the lobby of the legislative office building after former speaker of the house George Roberts.

On a division vote, with 200 members having voted in the affirmative, and 85 in the negative, the committee amendment was adopted.

Committee report adopted and ordered to third reading.

**MOTION TO PRINT DEBATE**

Rep. Shurtleff moved that the debate on **SB 66**, naming the lobby of the legislative office building after former speaker of the house George Roberts, be printed in the Permanent Journal.

Motion adopted.

**DEBATE ON SB 66**

**Speaker Jasper:** Division has been requested. This will be a division vote. Members will take their seats. The House will come to order. The question is on the committee amendment on SB 66. The Chair recognizes Representative McGuire for a parliamentary inquiry.

**Representative Carol McGuire:** Thank you, Mister Speaker. If I know that this amendment names the State, the LOB lobby for former Speaker, George Roberts. And, if I know that the Honorable Mister Roberts is still alive and may he live for many years, but if I know that we have a policy of not naming things for people who are still alive, would I now push the red button and kill this amendment?

**Speaker Jasper:** The question is on the committee amendment on SB 66. If you are in favor, you will press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

**Representative Packard:** Thank you, Mister Speaker. If I know that without George Robert's input, we would not have the Legislative Office Building at this point. And, if I know we shouldn't have to wait until somebody dies to recognize them for their accomplishments, would I now press the green button and pass this amendment?

**Speaker Jasper:** The question is on the committee amendment on SB 66. This is a division vote. If you are in favor, you'll press the green button. If you are opposed, you will press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 200 votes in the affirmative and 85 in the negative, the committee amendment is adopted. Question is on the adoption of the committee report. Chair recognizes the member from Londonderry to speak in favor of the motion. Representative Packard waives speaking. Are you ready for the question, which is on the adoption of the committee report? All those in favor, signify by saying Aye; those opposed, Nay. The Ayes have it and the committee report is adopted.

On passage of the past bill, I want to take a moment, just a moment to speak since it has passed and I'm not weighing in on the House's recommendation. I think this whole House should know just how much we owe to former Speaker Roberts. When he first was the Majority Leader under Marshall Cobleigh, the Speaker didn't even have a suitable office. Speaker Roberts told me the first week that I became Speaker that was the Attorney General's office. Speaker Cobleigh sent him to the Attorney General and said to him, "Would you like to move before or after Christmas?" The Attorney General said, "Well, you can't do that." Speaker Roberts, Majority Leader at the time, said, "Yes we control this building and yes, we will give you a nice office over in the annex. You can pick any corner office you want and we will buy you all new furniture, whatever you want. Now, would you like to move before or after Christmas?" So, as I was cleaning out the desk, because this is sort of a little funny story. When I got to the Speaker's office, the whole middle drawer was just filled with thousands of paperclips that had been left to the next Speaker by Speaker Norelli and as I finally had time to clean that out, in the bottom it said, "This desk first used by Speaker Roberts 1976-1980. Same desk in there; same couch in there. Speaker Roberts really did so much to get that building because the Governor and Council were ready to sign-off on not being interested in it and he bluffed them and ended up buying that. He also got us the Upham Walker House. He personally went in and bid on behalf of the State for the furniture after consulting with the historical society. For most of us, the most important thing that we need to know is the real reason that we have fair hearings on every bill is because of George Roberts. He was willing to give away the power of the Speaker and of the Chairman to pocket veto every bill, because until that time, any Chairman could simply put a bill in the desk and it would never come out and of course, at the order of the Speaker, that would happen whenever he wanted it to, but he gave away that ability so that every member of this House and every future legislator would have the opportunity to put bills in and have them heard in committee and have them acted on here, as we are today. We owe him so much, so much. Thank you. For what purpose does the member rise?

**Representative Shurtleff:** Mister Speaker, I move that your eloquent remarks be placed in the Permanent Journal.

**Speaker Jasper:** Are you ready for the question? All those in favor of having the remarks of the Speaker placed in the Permanent Journal, say Aye; those opposed, Nay. The Ayes have it and the motion is adopted.

### REGULAR CALENDAR CONT'D

**SB 59**, relative to the removal of county officers and temporary filling of the office. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Catherine Cheney for Municipal and County Government. This bill provides a method for removing a county officer and filling the position by correcting a gap in law where self-governance would be overlooked. This happened in Rockingham County where the county attorney was removed. The county convention did not have appropriate input to the process as representatives of the people. Any possible removal of an elected official should also have full disclosure of what the wrongdoing is if an elected official is removed. Existing statute allows only 5 voters to petition for a removal and this invites frivolous actions requiring a convention meeting. The committee also amended the bill to include HB 192 relative to pole tax abatements, which passed the House last year. Vote 16-0.

#### Amendment (1597h)

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to the removal of county officers and temporary filling of the office, and relative to the valuation of utility property.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Utility Property Tax; Determination of Value. Amend RSA 83-F:3 to read as follows:

83-F:3 Determination of Value. On or before December 1 of the tax year, the commissioner shall determine the market value of utility property for the purposes of this chapter by utilizing generally accepted appraisal methods and techniques. Market value means the property's full and true value as defined under RSA 75:1. In the case of regulated public utilities as defined in RSA 362:2, the commissioner shall hold a single public hearing annually prior to performing assessments, in order to receive public input on assessments under this chapter. Notice of such determination shall be given to the taxpayer within 15 days of the commissioner's determination. *The commissioner's determination under this section shall be used only for the purposes of this chapter and shall not be used by either the local political subdivision or the utility in any application for abatement of tax under RSA 76:16 or any appeal thereof under RSA 76:16-a or RSA 76:17.*

#### AMENDED ANALYSIS

This bill allows the county convention, upon a petition initiated by the county commissioner, the county attorney or a superior court judge, to remove a county officer for official misconduct. The bill allows the county convention to temporarily appoint a person for a county office. This bill also provides that the value for utility property determined by the commissioner of revenue administration for the purposes of the utility property tax shall not be used for an abatement under RSA 76. Committee amendment adopted.

Committee report adopted and ordered to third reading.

#### MOTION TO RECONSIDER

Speaker Jasper moved that the House reconsider its action whereby, on a voice vote, the House adopted the majority committee report of Ought to Pass with Amendment on **SB 59**, relative to the removal of county officers and temporary filling of the office.

Motion adopted.

#### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Abrami moved that the House reconsider its action whereby, on a voice vote, the House adopted committee amendment (1597h) on **SB 59**, relative to the removal of county officers and temporary filling of the office.

Motion adopted.

The question now being adoption of committee amendment (1597h).

The Speaker ruled committee amendment (1597h) non-germane.

Motion of Ought to Pass adopted and ordered to third reading.

**SB 482-FN-L**, establishing a committee to study the effect of short-term rentals on municipalities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill establishes a committee to study the effect of short-term rentals on municipalities. The amendment modifies the committee membership providing that representatives be included from the Commerce and Consumer Affairs Committee, the Municipal and County Government Committee and the Ways and Means Committee. The recent expansion of Airbnb and bed and breakfast businesses has raised concerns about zoning restrictions, safety, and taxation, among other issues. The goal is to take an in depth look at this issue and return to the legislature with recommendations by November 2016 for possible legislation to be considered in the 2017 legislative year. Vote 12-4.

Rep. Keith Ammon for the Minority of Municipal and County Government. Although this bill merely creates a study committee, the minority feels this bill is a reaction to the burgeoning "sharing" and "gig" economy facilitated by new technology such as the Airbnb platform. Why burden new sectors of economic activity with taxes and regulations before they have had a chance to mature? This position is anti-jobs and anti-prosperity. The issue of "fairness" came up: "Why should existing and entrenched players, such as hotels, pay Rooms and Meals taxes while the family renting out an extra bedroom for the weekend does not?" The focus should be on reducing taxes and regulation for existing players, not saddling modern entrepreneurship with buggy-whip era regulation. It appears that only regulators, industry insiders, and government interests will be consulted. The authors of the bill give no deference to the consumers or the providers of these services, the people voluntarily trading value for

value using their own property. After all, if users of these services thought they were being cheated, word would quickly spread using modern communications platforms, such as the Internet, and very few people would use the service in the first place. People naturally cease economic activity if they consider it unfair or dangerous. Some in the minority thought that even though the amendment makes changes to the makeup of the committee, a quorum will be difficult to achieve; if people show up for the committee but a quorum isn't present then this would waste valuable time.

### **Majority Amendment (1452h)**

Amend the bill by replacing sections 2-3 with the following:

#### **2 Membership and Compensation.**

##### **I. The members of the committee shall be as follows:**

(a) Two members of the senate, one appointed by the president of the senate and one appointed by the minority leader of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the commerce and consumer affairs committee, one of whom shall be a member of the municipal and county government committee, and one of whom shall be a member of the ways and means committee.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

#### **3 Duties. The committee shall:**

I. Solicit information from appropriate municipal officials regarding the effect of short-term rentals on their communities.

II. Solicit input from real estate professionals with regard to possible regulation and zoning of short-term rentals.

III. Review steps proposed and taken in other states to bring short-term rentals into compliance with state commerce, municipal, and tax laws.

IV. Seek advice and council from other appropriate entities, including but not limited to, the department of revenue administration, the department of resources, and economic development and the New Hampshire Municipal Association.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**SB 364**, establishing a committee to study the feasibility of incorporating complete streets into the 10-year transportation improvement plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia Higgins for Public Works and Highways. As introduced, the bill intended to create a study committee on the feasibility of incorporating complete streets into the 10-year transportation improvement plan. The committee amendment removes all reference to the 10-year transportation improvement plan, changes the title of the bill, specifies that the 3 representatives come from the Public Works and Highways Committee, and articulates the duties of the study committee to ensure that the committee shall look at items and ideas that do not impact the state's highway fund. Complete streets is a design approach to implement local transportation planning benefitting all users regardless of their particular means of transportation, age, or mobility challenges. Vote 11-5.

### **Amendment (1541h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

Amend the bill by replacing sections 1-3 with the following:

1 Committee Established. There is established a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

#### **2 Membership and Compensation.**

##### **I. The members of the committee shall be as follows:**

(a) Two members of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, all of whom shall be members of the public works and highways committee, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.



3 Duties. The committee, in conjunction with municipalities and the department of transportation, shall review:

- I. Existing department of transportation policies regarding complete streets.
- II. Previous department of transportation projects that incorporate complete streets.
- III. Examples of complete streets projects.
- IV. Implementation of a complete streets program that does not draw on any funds from the New Hampshire highway fund to implement any part of the complete streets program.
- V. Whether there are federal highway funds that could be allocated to a complete streets program that would not diminish any funds that could otherwise be utilized for highway projects.

#### AMENDED ANALYSIS

This bill establishes a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 198 members having voted in the affirmative, and 80 in the negative, the committee report was adopted and ordered to third reading.

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James McConnell for the Majority of Resources, Recreation and Development. This bill, written in cooperation with the Department of Resources and Economic Development (DRED), corrects a number of deficiencies in RSA 121, including incorporating the duties of the former Land Use Board into DRED and establishing a clear, unambiguous and accurate method for tracking the federal ownership of land in New Hampshire. RSA 121, as amended by the bill, will limit federal land ownership in New Hampshire to 2% of the state's land area, excluding the existing White Mountain National Forest within the original 1929 boundary, and further limit the federal ownership of land in any town or municipality to 5% of the total assessed property value. This bill provides a clear, standardized means of ensuring that towns and municipalities can remain in compliance with this requirement and establishes a new procedure for permitting towns and municipalities to exceed that limit when approved by the voters. The amendment, in concert with the bill, provides towns and municipalities in which the White Mountain National Forest proposes to acquire lands with the same rights as are granted to all other towns and municipalities in the state under RSA 121. Involving towns and municipalities in meeting these requirements is important, since remaining property owners are forced to pay higher real estate taxes to cover the federal property removed from the tax rolls. Federal payments in lieu of taxes are currently less than 25% of the amounts promised. Vote 10-7.

Rep. Judith Spang for the Minority of Resources, Recreation and Development. This bill further restricts any property in the state which is sold or donated to the federal government for conservation, forestry or agriculture. RSA 121 already restricts the amount of land that can be owned by the federal government to 2% of the land area of the state and 5% of the assessed value of any individual municipality, excluding lands within the White Mountain National Forest. The amendment expands the scope of the statute by including any expansion of lands in the White Mountain National Forest. The amendment also changes the definition of acquisition to include any easement where the federal government is the primary easement holder. Both the current and a past state Commissioner of Agriculture wrote the committee and expressed their concerns that this legislation, as amended, will severely restrict acceptance of funds from the USDA's Agricultural Conservation Easement Program and easements from the Natural Resource Conservation Service which are instrumental in preserving farmland in the state. By expanding the meaning of acquisition in RSA 121 to include easements and by including land sold or donated to the White Mountain National Forest, federal programs that have benefitted NH and saved the state and municipalities millions of dollars in land conservation will soon come to an abrupt end. Significantly, the Attorney General's office testified that they believe the current statute and this legislation restrict the rights of private landowners to sell their land and could be interpreted as a taking. The minority believes the state does not have the power to interfere with sales of land or easements by private landowners, including to the federal government. The underlying bill is

also ill conceived because it throws major administrative roadblocks into the process of finalizing easements. The Department of Resources and Economic Development said the agency lacks the resources for examining and issuing certificates of compliance before each deed can be recorded. There is no fiscal note to indicate how these costs to the department would be covered. If the issue of federal ownership of interests in NH land is to be addressed, it must be done through a more thorough study of constitutional means of limiting unreasonable impacts to municipalities without so severely affecting the economy and environment of NH.

### Majority Amendment (1599h)

Amend the bill by inserting after section 8 the following and renumbering the original sections 9-10 to read as 11-12, respectively:

9 Acquisition Authorized. Amend RSA 121:1 to read as follows:

121:1 Acquisition Authorized. Subject to the provisions of this chapter, consent is given to the acquisition of lands in this state by the United States of America for any public purpose duly authorized by the laws of the United States. *For purposes of this chapter, acquisition shall be defined as fee ownership and easements where the federal government is the primary holder of the easement.*

10 New Sections; White Mountain National Forest. Amend RSA 121 by inserting after section 6 the following new sections:

121:6-a White Mountain National Forest; Current Holdings Within the Boundaries of the Presidential Proclamation of October 26, 1929. Holdings by the federal government in the White Mountain National Forest within the boundaries established by the proclamation of the President of the United States, dated October 26, 1929, as of the effective date of this section, shall not be counted towards the 2 percent limit of total land area specified in RSA 121:6.

121:6-b White Mountain National Forest; Land Outside the Boundaries of the Presidential Proclamation of October 26, 1929, and Future Acquisitions Within the Boundaries of the Presidential Proclamation of October 26, 1929. Holdings by the federal government in the White Mountain National Forest which are outside the boundaries established by proclamation of the President of the United States, dated October 26, 1929, and all future easements procured and acquisitions made within the boundaries established by the proclamation of the President of the United States, dated October 26, 1929, by the federal government, after the effective date of this section, shall contribute to the 2 percent limit of total land area of the state specified in RSA 121:6.

Rep. Suzanne Smith spoke against and yielded to questions.

Rep. McConnell spoke in favor.

On a division vote, with 170 members having voted in the affirmative, and 112 in the negative, the committee amendment was adopted.

### MOTION TO LAY ON THE TABLE

Rep. Suzanne Smith moved that **SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council, be laid on the table.

Rep. McConnell requested a roll call; sufficiently seconded.

**YEAS 115 NAYS 171**

**YEAS - 115**

**CARROLL**

Buco, Thomas

Butler, Edward

Cordelli, Glenn

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael

Ames, Richard

Tilton, Benjamin

Berch, Paul

Bordenet, John

Eaton, Daniel

Roberts, Kris

Ley, Douglas

Mann, John

Parkhurst, Henry

Pearson, William

Robertson, Timothy

Shepardson, Marjorie

Tatro, Bruce

Weber, Lucy

**COOS**

Fruborg, Alethea

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Hennessey, Martha  
Piper, Wendy

Hennessey, Erin  
Maes, Kevin  
Smith, Suzanne

**HILLSBOROUGH**

Baroody, Benjamin  
DiSilvestro, Linda  
Gorman, Mary  
Heath, Mary  
O'Brien, Michael  
Brown, Pamela  
Soucy, Timothy

Roberts, Carol  
Donovan, Daniel  
Guerette, C. Lee  
Jack, Martin  
Mangipudi, Latha  
Long, Patrick  
Smith, Timothy

Cohen, Alan  
Freitas, Mary  
Hansberry, Daniel  
LeBrun, Donald  
Manley, Jonathan  
Walsh, Robert  
Vann, Ivy

Cornell, Patricia  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter  
McNamara, Richard  
Snow, Kendall  
Woodbury, David

**MERRIMACK**

Bradley, Paula  
Frazer, June  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

Carson, Clyde  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

Doherty, David  
Kenison, Linda  
Myler, Mel  
Schuett, Dianne

Ebel, Karen  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Berrien, Skip  
DiFranco, Debbie  
Lovejoy, Patricia  
Simpson, Alexis

Cahill, Michael  
Edgar, Michael  
McBeath, Rebecca

Cali-Pitts, Jacqueline  
Ward, Gerald  
Gordon, Pamela

Cushing, Robert  
Heffron, Frank  
Pantelakos, Laura

**STRAFFORD**

Baber, William  
DiSesa, Len  
Rollo, Deanna

Bixby, Peter  
Horriggan, Timothy  
Spang, Judith

Burton, Wayne  
Kaen, Naida  
Treleaven, Susan

Cilley, Jacalyn  
Schmidt, Peter  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

Grenier, James

**NAYS - 171****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Fraser, Valerie

Tilton, Franklin  
Howard, Raymond

Fields, Dennis  
Hurt, George

**CARROLL**

Avellani, Lino  
Nelson, Bill

Chandler, Gene  
Parker, Harold

Comeau, Ed  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Emerson, Susan  
Sterling, Franklin

Hunt, John

McConnell, James

Phillips, Larry

**COOS**

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Bailey, Brad  
Hull, Robert

Darrow, Stephen  
Ladd, Rick

Johnson, Eric

Gionet, Edmond

**HILLSBOROUGH**

Adams, Christopher  
 Barry, Richard  
 Byron, Frank  
 Edelblut, Frank  
 Gagne, Larry  
 Goulette, William  
 Infantine, William  
 Lachance, Joseph  
 Notter, Jeanine  
 Pierce, David  
 Rowe, Robert  
 Shaw, Barbara  
 Takesian, Charlene  
 Wolf, Terry

Ammon, Keith  
 Biggie, Barbara  
 Coffey, James  
 Estevez, Eric  
 Gargas, Carolyn  
 Hansen, Peter  
 Belanger, James  
 McLean, Mark  
 Ohm, Bill  
 Proulx, Mark  
 Sanborn, Laurie  
 Simmons, Tammy  
 Twombly, Timothy

Griffin, Barbara  
 Boehm, Ralph  
 Danielson, David  
 Ferreira, Elizabeth  
 Gidge, Kenneth  
 Hinch, Richard  
 Rice, Kimberly  
 Murotake, David  
 Parison, James  
 Christie, Rick  
 Scountsas, Lisa  
 Souza, Kathleen  
 Ulery, Jordan

Balcom, John  
 Burt, John  
 Eastman, Eric  
 Flanagan, Jack  
 Gould, Linda  
 Hogan, Edith  
 Christiansen, Lars  
 Murphy, Keith  
 Pellegrino, Anthony  
 Rouillard, Claire  
 Seidel, Carl  
 Straight, Phillip  
 Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
 Deloge, Helen  
 Kotowski, Frank  
 Seaworth, Brian

McGuire, Carol  
 Hill, Gregory  
 Kuch, Bill  
 Walsh, Thomas

Long, Douglas  
 Hoell, J.R.  
 Marple, Richard

McGuire, Dan  
 Horn, Werner  
 Martin, John

**ROCKINGHAM**

Christie, Andrew  
 Barnes, Arthur  
 Thomas, Douglas  
 Duarte, Joe  
 Rice, Frederick  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Ward, Joanne  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Schroadter, Adam  
 Vose, Michael

Abrami, Patrick  
 Bates, David  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Fesh, Robert  
 Hagan, Joseph  
 Introne, Robert  
 Kappler, Lawrence  
 Manning, John  
 Nigrello, Robert  
 Potucek, John  
 Spillane, James  
 Welch, David

Abramson, Max  
 Cardon, G. Thomas  
 Devine, James  
 Emerick, J. Tracy  
 Gannon, William  
 Harris, Jeffrey  
 Itse, Daniel  
 Kolodziej, Walter  
 Matthews, Carolyn  
 O'Connor, John  
 Gordon, Richard  
 Sytek, John  
 Weyler, Kenneth

Baldasaro, Alfred  
 Cook, Allen  
 Doucette, Fred  
 Chase, Francis  
 Green, Dennis  
 Hodgdon, Bruce  
 Sweeney, Joe  
 Griffin, Mary  
 McMahon, Charles  
 Osborne, Jason  
 Tilton, Rio  
 True, Chris

**STRAFFORD**

Beaudoin, Steven  
 Gray, James  
 Kaczynski, Thomas  
 Pitre, Joseph  
 Wuelper, Kurt

Bickford, David  
 Groen, Warren  
 Knowles, Robert  
 Sprague, Dale

Cheney, Catherine  
 Hannon, Joseph  
 Turcotte, Leonard  
 Verschueren, James

Graham, Robert  
 Jones, Laura  
 Leeman, Don  
 Whitehouse, Joshua

**SULLIVAN**

Converse, Larry  
 and the motion failed.

Laware, Thomas

Rollins, Skip

Smith, Steven

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 173 members having voted in the affirmative, and 111 in the negative, the committee report was adopted and ordered to third reading.

**SB 381**, relative to the combustion of the wood component of construction and demolition debris. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill enhances renewable energy electricity generation by allowing waste-to-energy plants to operate during the winter. Cold weather reduces the collection of municipal refuse, and snow and ice make such waste fuel supplies wet

and harder to burn. The bill allows adding recovered clean wood to the fuel mix to drive off moisture and to create the higher burn temperatures that allow the efficient operation of emissions capture and reduction technologies, leading to greater wintertime electricity production. The bill further permits the recovery of such clean wood from construction and demolition (C&D) debris. The bill sets limits on this fuel additive by allowing its use only between November 15 and April 15 and in quantities of no more than 10,000 tons per year. The bill further requires that such recovered clean wood fuel must meet the standards described in the Environmental Protection Agency's Non-Hazardous Secondary Materials Rule. This bill will: (1) increase the generation of electricity from renewable waste fuels; (2) reduce the burying of waste in landfills; (3) result in an estimated reduction of 850 tons per year of greenhouse gas emissions by avoiding the burning of 75,000 gallons of diesel fuel to transport 430 truckloads of cleaned C&D wood waste to Quebec (340,000 round trip miles); and (4) guarantee good paying jobs in our state. The Department of Environmental Services testified that it saw no significant environmental impacts from this legislation. Vote 11-8.

Rep. Robert Backus for the Minority of Science, Technology and Energy. This bill would open the door for limited combustion at the Wheelabrator waste-to-energy facility in Concord of supposedly clean construction and demolition (C&D) debris. In 2008, the burning of C&D waste was made illegal in NH, a policy that has served the state well for almost a decade. The minority has many concerns with re-opening the door to again allow burning of this material. First, the bill sponsor admitted that although the amounts involved are small, and burning is limited to only certain months of the year, that "we have to start small." This suggests that this limited burn authorization is, as the phrase goes, the nose of the camel getting under the tent. Second, there is no verification that the wood debris is in fact truly clean. The wood contains grit (which renders it unsuitable for burning as pellet fuel) and, unlike virgin wood, may contain residues of toxic chemicals. Burning does not eliminate any hazardous waste, since the potentially harmful material either goes up the stack or ends up in the ash that has to be contained. Third, there was no demonstrated need for this law to permit either the recycler, Re-Energy (a C&D processor), or Wheelabrator to continue doing business. Re-Energy has existing markets for its recycled wood products and Wheelabrator operates by burning municipal waste, occasionally supplemented by natural gas. Finally, although the proponents pointed to a recent Environmental Protection Agency regulation on best practices to handle recycled materials, there is no objective standards or limits on what is acceptable for incineration.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Baber offered floor amendment (1908h).

### **Floor Amendment (1908h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the use of certain construction and demolition debris as fuel.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the possibility of using the combustion of the wood component of construction and demolition debris as a fuel in waste-to-energy incinerators in a manner that meets current or proposed nationally recognized environmental standards.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Five members of the science, technology and energy committee from the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall:

I. Determine if the combustion of the wood component of construction and demolition debris for use as a fuel in waste-to-energy incinerators can be done in a manner that meets current or proposed nationally recognized environmental standards. Such determination shall include the identification of processes and methods to ensure that the fuel, as delivered to the incineration facility, meets such standards.

II. Review both the direct and indirect effects due to combustion, both positive and negative, which may occur during handling, transportation, and disposal of construction waste.

III. Consider the economic effects the availability of such fuel may have on electric rates and on alternative local biofuel sources.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill establishes a committee to study the use of certain construction and demolition debris as fuel. Rep. Baber spoke in favor.

Rep. Vose spoke against and yielded to questions.

On a division vote, with 115 members having voted in the affirmative, and 169 in the negative, floor amendment (1908h) failed.

#### MOTION TO LAY ON THE TABLE

Rep. Baber moved that **SB 381**, relative to the combustion of the wood component of construction and demolition debris, be laid on the table.

Motion failed.

The question now being adoption of the majority committee report of Ought to Pass.

Majority committee report adopted and ordered to third reading.

**SB 547**, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Theberge for the Majority of State-Federal Relations and Veterans Affairs. This bill establishes a commission to study if current force protection measures provide adequate safeguards for New Hampshire National Guard personnel, facilities, and equipment, unlike a previous bill (HB 1288) which focused solely on the National Guard's input to address the force protection policy. This bill includes the Department of Safety, Division of Homeland Security and Emergency Management on assessments and recommendations. The Deputy Adjutant General testified on behalf of the Adjutant General who advocated that this bill is much preferred. This bill goes beyond just personnel issues but looks at equipment and overall facilities. Vote 9-7.

Rep. Kris Roberts for the Minority of State-Federal Relations and Veterans Affairs. The minority feels that this bill is unnecessary because the Adjutant General already has an updated force protection plan which is reviewed as necessary. Furthermore much of the information will be classified.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Baldasaro spoke against.

Majority committee report failed.

Rep. Baldasaro moved the minority committee report of Inexpedient to Legislate.

Minority committee report adopted.

**SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kris Roberts for the Majority of State-Federal Relations and Veterans Affairs. This senate concurrent resolution requests that the United States Congress convene a convention to propose amendments to the US Constitution for the exclusive purpose of election reform that does not abrogate or amend the First Amendment to the US Constitution. The majority of the committee believes that the people of New Hampshire cherish the First Amendment, the right of free speech. However, they are very concerned about the enormous amount of money in politics. They are very concerned about the impact of the Citizens United decision which will result in about \$80 million being spent

on the 2016 New Hampshire Senate race. Most of that money will come from out-of-state political action committees. This resolution calls for an Article V convention, which under the constitution says the states have the right to propose amendments to the constitution. This call for an Article V convention is very limited in scope and addresses the need for election reform without abrogating or amending the First Amendment of the United States Constitution. The people of New Hampshire understand the importance of having fair and open elections. We understand elections should be based on qualifications, not the ability to raise unlimited campaign funds. The goal of this resolution is to have an Article V convention to agree on election reform amendments. Any amendments must be ratified by the legislatures in at least 38 states in order to restore American's faith in the election process. The majority of the committee believes the chance of a "runaway convention" has far less risk to the people of New Hampshire than the fear of inaction. Vote 10-6.

Rep. Alfred Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority believes this resolution seeks to circumvent or repeal the United States Supreme Court's opinion in *Citizen's United v. Federal Election Commission*. The majority is seeking to permit the federal government to restrict political speech and campaign contributions by corporations. The federal government does not now have the constitutional authority over the country at large to restrict any form of speech, to restrict campaign contributions or tell someone that they can't donate their own money. The majority wants the federal government through a constitutional convention to have the power to limit or restrict certain groups for political speech.

### **MOTION TO LAY ON THE TABLE**

Rep. Ulerly moved that **SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution, be laid on the table.

On a division vote, with 148 members having voted in the affirmative, and 129 in the negative, the motion was adopted.

### **REGULAR CALENDAR CONT'D**

**SCR 4**, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kris Roberts for the Majority of State-Federal Relations and Veterans Affairs. The majority of the committee believes that it is extremely important to tell Congress that the people of New Hampshire are very concerned about the financial future of our country. Despite our concerns Congress has repeatedly failed to listen. Under the United States Constitution, the states have the right to call an Article V convention to propose amendments to the constitution. This resolution is New Hampshire's call for such a convention. There are many people who are afraid that such a convention would become a runaway convention that would strip us of our current rights such as the 1st, 2nd and 5th amendments. Despite that fear, many people fail to realize that any proposed amendment must be approved by at least 38 states. There is no way that the American people would support changing any amendment to the Bill of Rights. There are also other protective rules concerning any Article V convention, to include Article V convention decisions such as *Baker vs Carr* (1964). A comprehensive U.S. Department of Justice report in 1987 stated that an Article V convention option was sound and controllable. U.S. Supreme Court Justice Joseph Story stated, "The great principle to be sought is to make the changes practicable, but not too easy; to secure due deliberation, and caution; and to follow experience, rather than to open a way for experiments, suggested by mere speculation or theory." At its discretion, Congress may provide for consideration of such amendment either by state legislatures or ad hoc state ratification conventions. According to the Congressional Research Service there have been over 1,500 requests for Article V Conventions. The real strength of calls for Article V Conventions is that they force Congress to act. In 1985, the 99th Congress passed the Gramm-Rudman-Hollings Balanced Budget and Emergency Deficit Control Act (GRH), claiming that this legislation would serve the same purpose as an Article V convention with less risk. Concerns about a runaway convention and hopes that the 1985 passage of the Gramm-Rudman-Hollings Act would lead to a balanced federal budget have been credited with forestalling additional state applications for a convention. The calls for Article V conventions have resulted in the passage of 17th, 19th and 21st amendments. There are those who feel that the U.S.

Constitution is certainly one of the most venerable, elegant and comprehensive framing documents in the history of western civilization, if not human history itself. In fact, many servants of the common good voluntarily take binding oaths to defend, uphold and protect it. This is true of everyone who serves the people of New Hampshire in the General Court. Vote 11-5.

Rep. Alfred Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority believes that this resolution requesting an Article V Constitutional convention for fiscal constraints is a game of words that leaves the door open to many change recommendations to the constitution. New Hampshire is already on record in Washington D.C. in favor of an Article V convention for a balanced budget amendment. This is a duplication of what this legislature already passed in 2011 which has already been filed in Washington D.C.

### MOTION TO LAY ON THE TABLE

Rep. Ulery moved that **SCR 4**, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government, be laid on the table.

On a division vote, with 227 members having voted in the affirmative, and 57 in the negative, the motion was adopted.

### REGULAR CALENDAR CONT'D

**SB 471-FN**, relative to parking for persons with disabilities. **OUGHT TO PASS WITH AMENDMENT.** Rep. Steven Smith for Transportation. This bill clarifies signage requirements for parking for persons with walking disabilities. It establishes that a portion of state fines be remitted to towns and municipalities. The bill also makes technical changes to New Hampshire statutes to ensure compliance with the ADA. The committee amendment changes the suggestion of one "van only" parking space out of five, to a requirement. Vote 15-0.

#### Amendment (1562h)

Amend the bill by replacing section 4 with the following:

4 Parking Signs. Amend RSA 265:73-a to read as follows:

265:73-a Parking Signs; Disabled. A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building. Said sign shall be clearly visible to anyone directly approaching that particular space. *Van-accessible spaces shall be allocated according to the requirements of the Americans with Disabilities Act of 1990 and regulations and guidelines promulgated pursuant thereto. There shall be one "van only" parking space for every 5 spaces which are reserved for persons who are disabled.* Failure to comply with the sign placement requirements of this section shall subject the property owner to a \$250 fine, provided that the owner shall not be fined more than once in any 120-day period for the same violation.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**SB 478-FN**, permitting the online renewal of a nondriver's picture identification card. **OUGHT TO PASS.** Rep. Werner Horn for Transportation. This bill allows the online renewal of nondriver picture identification cards, bringing them into line with other state issued IDs. Holders of a nondriver's identification often have transportation issues that would be mitigated by having this option available to them. Vote 15-0. Committee report adopted and ordered to third reading.

**SB 550-FN**, relative to the maximum gross weight for dump trailers. **OUGHT TO PASS.**

Rep. Michael Abbott for Transportation. The intent of this legislation is to bring weight and axle configuration into accordance with surrounding states and federal standards. It establishes a maximum weight requirement for a combination of truck-tractor and dump trailer, eliminating restrictions which put trucking concerns at a disadvantage. Vote 15-0.

Committee report adopted and ordered to third reading.

**SB 210-FN**, relative to regulation of septic system evaluators. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for the Majority of Ways and Means. The full House agreed with the policy committee, Executive Departments and Administration, and voted to establish a statute which calls



for the regulation of septic system evaluators. The Ways and Means Committee was asked to review the fees associated with licensing septic system evaluators. These fees would cover the associated board and staff costs using the standard approach which calls for fees being sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board budgeted for the biennium in which they apply. This was acceptable to the committee; however, an amendment was added with four changes. First, until initial expenses become known, the fee for an initial application or a renewal of a license shall not exceed \$150 for a two-year license. The second change was designed to keep the fees down by eliminating the provision that members of the board shall receive \$25 for each day actually engaged in the duties of their office. Traditionally these small boards do not have paid board members. The third change clarified the language to ensure that those eligible for licensure under RSA 310-A: 210, II, III, or IV would be able to practice during the transition period. The final change was the elimination of the reference to subparagraph I(d) which the policy committee had eliminated in their amendment, but had neglected to delete the reference to this subparagraph. Vote 16-2.

Rep. Bill Ohm for the Minority of Ways and Means. This bill, while presented as a consumer protection bill, will likely create a new fee for homeowners upon sale of their home. This fee is for septic inspection by members licensed by a new board. Even as amended, there are multiple cost and fee issues present requiring further study.

### **Majority Amendment (1620h)**

Amend RSA 310-A:206, VI as inserted by section 2 of the bill by replacing it with the following:

VI. Members of the board shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.

Amend RSA 310-A:208 and 209 as inserted by section 2 of the bill by replacing them with the following:

310-A:208 Fees. The board shall adopt rules, under RSA 541-A, to establish fees required under this subdivision, which shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board budgeted for the biennium in which they will apply, including the following:

I. Application for licensure, the fee for which shall not exceed \$150 for the initial 2-year license.

II. Renewal for license holders, the fee for which shall not exceed \$150 for the 2-year renewal.

III. Late fees for a late renewal of a license.

IV. Replacement of a lost or mutilated license.

V. Transcribing and transferring records and other services.

VI. Reinstatement fees.

VII. Other fees or fines deemed necessary by the board.

310-A:209 License Required.

I. Beginning January 1, 2017, no person shall practice as a septic system evaluator or conduct septic system evaluations in this state without a septic system evaluator's license issued by the board under this subdivision, unless the person is eligible for licensure under RSA 310-A:210, II, III, or IV.

II. Beginning January 1, 2018, a person eligible for licensure under RSA 310-A:210, II, III, or IV may continue to practice as a septic system evaluator or conduct septic system evaluations in this state only if such person holds a septic system evaluator's license issued by the board under this subdivision.

Amend RSA 310-A:210, V as inserted by section 2 of the bill by replacing it with the following:

V. All applicants shall meet the requirement of subparagraph I(c), pay an initial fee, and fulfill all other license application requirements.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Eastman requested a roll call; sufficiently seconded.

**YEAS 158 NAYS 128**

**YEAS - 158  
BELKNAP**

**CARROLL**

Buco, Thomas  
Parker, Harold

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Tilton, Benjamin  
Emerson, Susan  
Pearson, William  
Sterling, Franklin

Berch, Paul  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

**COOS**

Frobург, Alethea  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Tholl, John

**GRAFTON**

Abel, Richard  
Higgins, Patricia  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Ladd, Rick  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Hennessey, Martha  
Piper, Wendy

Ford, Susan  
Maes, Kevin  
Smith, Suzanne

**HILLSBOROUGH**

Barry, Richard  
Donovan, Daniel  
Gidge, Kenneth  
Hansberry, Daniel  
Infantine, William  
Mangipudi, Latha  
Long, Patrick  
Snow, Kendall  
Vann, Ivy

Roberts, Carol  
Freitas, Mary  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Manley, Jonathan  
Pellegrino, Anthony  
Soucy, Timothy  
Wolf, Terry

Cohen, Alan  
Gagne, Larry  
Gorman, Mary  
Heath, Mary  
Leishman, Peter  
McNamara, Richard  
Proulx, Mark  
Straight, Phillip  
Woodbury, David

Cornell, Patricia  
Gargas, Carolyn  
Guerette, C. Lee  
Hinch, Richard  
O'Brien, Michael  
Brown, Pamela  
Walsh, Robert  
Smith, Timothy

**MERRIMACK**

Bradley, Paula  
Ebel, Karen  
Kotowski, Frank  
Myler, Mel  
Schuett, Dianne  
Wheeler, Deborah

Carson, Clyde  
Frazer, June  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

Deloge, Helen  
Karrick, David  
MacKay, James  
Rogers, Katherine  
Walsh, Thomas

Doherty, David  
Kenison, Linda  
Moffett, Howard  
Saunderson, George  
Wallner, Mary Jane

**ROCKINGHAM**

Christie, Andrew  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Fesh, Robert  
Heffron, Frank  
Major, Norman  
Nigrello, Robert  
Tilton, Rio  
Weyler, Kenneth

Abrami, Patrick  
Cardon, G. Thomas  
Edgar, Michael  
Ward, Gerald  
Hoelzel, Kathleen  
Manning, John  
Gordon, Pamela  
Simpson, Alexis

Berrien, Skip  
Cushing, Robert  
Elliott, Robert  
Guthrie, Joseph  
Lovejoy, Patricia  
McBeath, Rebecca  
Packard, Sherman  
Sytek, John

Cahill, Michael  
Devine, James  
Rice, Frederick  
Hagan, Joseph  
Griffin, Mary  
Milz, David  
Pantelakos, Laura  
Welch, David

**STRAFFORD**

Baber, William  
DiSesa, Len  
Smith, Marjorie  
Treleven, Susan

Bixby, Peter  
Gray, James  
Schmidt, Peter  
Verschueren, James

Burton, Wayne  
Horriggan, Timothy  
Rollo, Deanna  
Wall, Janet

Cilley, Jacalyn  
Kaen, Naida  
Spang, Judith

**SULLIVAN**

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

**NAYS - 128****BELKNAP**

Aldrich, Glen  
Howard, Raymond

Dumais, Russell  
Hurt, George

Tilton, Franklin  
Spanos, Peter

Gallagher, Brian  
Fraser, Valerie

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Nelson, Bill

**CHESHIRE**

Hunt, John

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Biggie, Barbara  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Hansen, Peter  
Christiansen, Lars  
Murotake, David  
Parison, James  
Rowe, Robert  
Shaw, Barbara  
Twombly, Timothy

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Edelblut, Frank  
Flanagan, Jack  
Hogan, Edith  
Lachance, Joseph  
Murphy, Keith  
Pierce, David  
Sanborn, Laurie  
Simmons, Tammy  
Ulery, Jordan

Balcom, John  
Bouldin, Amanda  
Danielson, David  
Edwards, Elizabeth  
Gould, Linda  
Belanger, James  
LeBrun, Donald  
Notter, Jeanine  
Christie, Rick  
Scontsas, Lisa  
Souza, Kathleen  
Sullivan, Victoria

Baroody, Benjamin  
Burt, John  
DiSilvestro, Linda  
Estevez, Eric  
Goulette, William  
Rice, Kimberly  
McLean, Mark  
Ohm, Bill  
Rouillard, Claire  
Seidel, Carl  
Takesian, Charlene

**MERRIMACK**

Brewster, Michael  
Hill, Gregory  
Marple, Richard

McGuire, Carol  
Hoell, J.R.  
Martin, John

Long, Douglas  
Horn, Werner  
Seaworth, Brian

McGuire, Dan  
Kuch, Bill

**ROCKINGHAM**

Abramson, Max  
Cook, Allen  
Duarte, Joe  
Green, Dennis  
Itse, Daniel  
Kolodziej, Walter  
Osborne, Jason  
Spillane, James

Baldasaro, Alfred  
Thomas, Douglas  
Emerick, J. Tracy  
Harris, Jeffrey  
Sweeney, Joe  
Matthews, Carolyn  
Potucek, John  
True, Chris

Barnes, Arthur  
Dean-Bailey, Yvonne  
Chase, Francis  
Hodgdon, Bruce  
Ward, Joanne  
McMahon, Charles  
Gordon, Richard  
Vose, Michael

Bates, David  
Doucette, Fred  
Gannon, William  
Introne, Robert  
Kappler, Lawrence  
O'Connor, John  
Schroadter, Adam

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Knowles, Robert  
Sprague, Dale

Bickford, David  
Hannon, Joseph  
Turcotte, Leonard  
Whitehouse, Joshua

Cheney, Catherine  
Jones, Laura  
Leeman, Don  
Wuelper, Kurt

Graham, Robert  
Kaczynski, Thomas  
Pitre, Joseph

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

**SB 441-FN**, relative to discounts and admission without charge at state parks. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Mary Cooney for the Majority of Ways and Means. This bill was passed by the House modifying free admission for seniors over the age of 65 for state parks and other areas. The majority of the committee felt that allowing the state to charge seniors over the age of 65 to ski at Cannon Mountain on weekdays was not in keeping with the general policy of giving seniors free access to NH parks. The amendment retains the existing free access on weekdays for seniors, which reduces Cannon's revenue by up to \$81,000 but still grows total revenue for the park system by up to \$84,000. The estimated revenue loss was made on the assumption that all seniors currently using Cannon Mountain summer and winter would continue to do so. It does not account for the fact that some wouldn't come at all. Other reasons to continue free weekday access were that grandparents do bring grandchildren, some only come for a few runs and they also patronize other venues like food service. The argument that NH is aging and therefore will cost the state more revenue in the future is not compelling enough at this point in time to impose this fee. In addition, the bill and amendment stipulate that seniors may be charged up to 2/3 of the usual fee for the use of "uphill devices" on weekends and holidays. Lastly, the bill and amendment eliminate the hard to manage coupon books. Perception is reality and the willingness of the state to provide NH seniors with free weekday skiing is part of the brand of the New Hampshire advantage. Vote 15-3.

Rep. Susan Almy for the Minority of Ways and Means. The policy committee (Resources, Recreation and Development) agreed with the State Park System Advisory Council and the Department of Resources and Economic Development that because the state's population is rapidly aging, the self-funded park system will be forced to raise fees on young families and working age adults if the senior population's park discounts are not adjusted downward. The Ways and Means Committee amendment reverses this policy by further increasing senior discounts. The effect over the next decades will be to further damage our state's ability to attract and retain working-age adults, either because our parks have further deteriorated or because park use is unaffordable to them. Many of our seniors have moved into the state as retirees and more seniors than under 40's can well afford to pay the full rate, much less the discounted bargain of up to 1/3 for weekdays and 2/3 fee for weekends approved by the policy committee.

### **Majority Amendment (1619h)**

Amend RSA 218:5-c as inserted by section 1 of the bill by replacing it with the following:

218:5-c Admission Without Charge; *Residents 65 Years of Age and Older*. Any person who is a resident of this state and who has attained the age of 65 shall, upon proper identification, be admitted to any state recreation area, including but not limited to parks, historical sites, beaches, and state-operated ski areas, without charge *except on weekends and holidays*. Persons qualifying under this section shall be allowed to use any state owned facility within the recreation area without charge for the use of the facility, except *those facilities operated by third parties*. Persons qualifying under this section ~~shall~~ *may* be charged *up to 2/3* of the usual fee for the use of so-called "uphill devices" on ~~Saturdays and Sundays~~ *weekends and holidays*. Provided further that other special charges at state owned recreation areas, such as fees charged for parking at parking meters, shall be charged persons qualifying under this section at the usual rates. The *foregoing* provisions of this section shall not apply to state owned campsites or camping areas or state-owned ski areas operated by a lessee. *Additional discounts or admission without charge for persons qualifying under this section may be provided in accordance with RSA 216-A:3-g.*

Rep. Frederick Rice spoke against.

Rep. Cooney spoke in favor.

On a division vote, with 191 members having voted in the affirmative, and 96 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Horrigan spoke against.

Rep. Bailey spoke in favor.

Rep. Proulx requested a roll call; not sufficiently seconded.

Majority committee report adopted and ordered to third reading.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**SB 536**, relative to emergency interim relief under the child protection act. **OUGHT TO PASS.**  
 Rep. Skip Berrien for Children and Family Law. This bill permits the Division of Children, Youth and Families to remove a child at risk of harm with a telephone request to the court for an ex parte order. This bill requires written affidavits to be submitted to the court on the next business day. Vote 13-0.  
 Rep. Brewster spoke against.  
 Committee report adopted and ordered to third reading.

**SB 538**, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities. **OUGHT TO PASS.**  
 Rep. Skip Berrien for Children and Family Law. This bill applies to police taking custody of a child in imminent danger and the court ordering continuation of such custody. At present, the police have 24 hours to appear in court following the order. This bill extends the court appearance to within 48 hours which permits police to work with the Division of Children, Youth and Families to present a fuller understanding of the immediate protective needs. This bill also extends the repeal date of the Commission to Review Child Abuse Fatalities to June 30, 2017. Vote 14-0.  
 Rep. Brewster spoke against.  
 Committee report adopted and ordered to third reading.

**SB 305**, including fermented pear juice in the definition of cider. **INEXPEDIENT TO LEGISLATE.**  
 Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill was designed to include pear juice in the definition of "cider" in RSA 175:1. The definition of "beverage" in the same section of the Liquor Laws includes "any beer, wine, similar fermented malt or vinous liquors and fruit juices, and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit." Since pear juice is a fruit juice, it is already covered and this bill is unnecessary. Vote 20-0.  
 Rep. Hunt spoke against.  
 Committee report failed.  
 Rep. Hunt moved Ought to Pass and offered floor amendment (1916h).

**Floor Amendment (1916h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the brew pub license.

Amend the bill by replacing all after the enacting clause with the following:

1 Definitions; Brew Pub. Amend RSA 175:1, XII-a to read as follows:

XII-a. "Brew pub" means a manufacturer of beer, [or] specialty beer, *or cider* not exceeding 2,500 barrels annually, which as a functional part of its business, maintains a full service restaurant serving the beer it manufactures as well as other beverage and liquor as allowed by RSA 178:21, II(a)(1) and RSA 178:22, V(q).

2 Brew Pub License. Amend RSA 178:13, I-II to read as follows:

I. A brew pub license shall authorize the licensee to manufacture beer *or cider* in quantities not to exceed 2,500 barrels annually primarily for consumption on the licensed premises.

II. A brew pub licensee may sell beer *or cider* manufactured on the premises or manufactured by the licensee at a host brewer facility to individuals for on-premises and off-premises consumption and to New Hampshire licensed retailers and wholesalers. A brew pub shall maintain a full service restaurant and may subsequently serve beverage and liquor as permitted by RSA 178:21, II(a)(1), RSA 178:22, V(e)(2), and RSA 178:22, V(q).

3 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill authorizes brew pubs to manufacture alcoholic cider.

Rep. Hunt spoke in favor.

Floor amendment (1916h) adopted.

Motion of Ought to Pass with Amendment adopted and ordered to third reading.

**SB 403**, relative to the sale of gift certificates with expiration dates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill makes modifications to the Consumer Protection Act, which prohibits issuing gift certificates with expiration dates. The bill

raised the amount where a gift certificate must eventually be escheated to the state as abandoned property from \$100 to \$250. Gift certificates under that value never expire. The committee agreed with that change, but also changed the definition of gift certificates from written promises to a broader definition, which includes 21st-century technology like gift cards and e-certificates. We also included store credits for returned merchandise in that definition. The committee rejected language from the original bill that exempted prepaid telephone cards from the definition of gift certificates. The committee believes that prepaid calling cards are the purchase of a product, not a stored value for a future purchase, and therefore are not a gift certificate, so such an exemption was unnecessary. Vote 20-0.

#### **Amendment (1753h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the regulation of gift certificates under the consumer protection act.

Amend the bill by replacing all after section 1 with the following:

2 Definition of Gift Certificate. RSA 358-A:1, IV-a is repealed and reenacted to read as follows:

IV-a. "Gift certificate" means a record evidencing a promise, made for consideration, by the seller or issuer of the record that goods or services will be provided to the holder of the record at a future date, including promises issued in exchange for returned merchandise.

3 Custody and Escheat of Unclaimed and Abandoned Property; Gift Certificates and Store Credits. Amend RSA 471-C:16 to read as follows:

471-C:16 Gift Certificates and Store Credits. Notwithstanding any law to the contrary, gift certificates *and store credits*, of [~~\$100~~] **\$250** or less, [~~and store credits that were issued for store merchandise credit, regardless of when issued,~~] shall not be property presumed abandoned and shall not be subject to RSA 471-C or any other past or present law. All gift certificates and store credits remitted to the state prior to January 1, 1998, and gift certificates and store credits that are properly determined to be reportable in any compliance audits initiated prior to January 1, 1998 and subsequently remitted, shall remain in the custody of the state unless and until returned to the owner. This section shall not apply to season passes or coupons that are nonrefundable and nonredeemable.

4 Effective Date. This act shall take effect January 1, 2017.

#### **AMENDED ANALYSIS**

This bill provides that a gift certificate or store credit with a face value of \$250 or less shall not include an expiration date. The bill also revises the definition of gift certificate to include a credit for exchanged merchandise.

Rep. Hunt spoke against.

Committee amendment failed.

Motion of Ought to Pass adopted and ordered to third reading.

**SB 458-FN**, relative to reporting by political committees. **OUGHT TO PASS.**

Rep. Kathleen Hoelzel for Election Law. Presently there can be an 18 to 20-month gap before a political committee must report receipts and expenditures. This bill adds new reporting dates for political committees in June and December after the state General Election. These reports will be required for all political committees whose receipts and expenditures exceed \$500. Vote 17-0.

Rep. Hoelzel offered floor amendment (1854h).

#### **Floor Amendment (1854h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to reporting by political committees and relative to reports of death of voters.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraphs; Registrar of Vital Records; Duties. Amend RSA 5-C:4 by inserting after paragraph III the following new paragraphs:

IV. The secretary of state shall compare information contained on each death record received by the division of vital records with information contained in the statewide centralized voter registration database and submit to the state registrar a list of every city or town that has a registered voter matching the decedent's information.

V. Upon receipt of a death record, the state registrar shall transmit notice of the death to the clerk of the city or town of residence of the decedent and to each city or town listed by the secretary of state for the decedent pursuant to paragraph IV.

3 Checklists; Reports of Death. Amend RSA 654:37 to read as follows:

654:37 Reports of Death. Whenever there is filed in the office of the clerk an official notice of the death of any person or persons of the age of 18 years or over *or the clerk receives notice of a death record of such person or persons under RSA 5-C:4, V*, the town or city clerk shall notify the supervisors of the checklist of said deaths by submitting a notice of same to the supervisors at their next regular meeting. Upon receipt of such notice, the supervisors shall examine the checklist; and, if the name of said deceased person appears thereon, it shall be removed. The notice shall be retained in accordance with RSA 33-A:3-a. Any supervisor who shall neglect or refuse to erase the name of such deceased voter from the checklist after receiving such notice from the town or city clerk shall be guilty of a violation.

4 Effective Date.

I. Sections 2-3 of this act shall take effect July 1, 2017.

II. The remainder of this act shall take effect January 1, 2017.

#### AMENDED ANALYSIS

This bill requires political committees to file itemized statements earlier than is required under current law. This bill also requires the state registrar to notify the city or town clerk upon receipt of a death record and requires the supervisors of the checklist to remove the name from the checklist. Rep. Hoelzel spoke in favor.

Floor amendment (1854h) adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Schroader offered floor amendment (1858h).

#### Floor Amendment (1858h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to reporting by political committees and relative to agreements to share voter information with other states.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Centralized Voter Registration Database; Agreements to Share Voter Information or Data with Other States. Amend RSA 654:45 by inserting after paragraph VII the following new paragraph:

VIII. The secretary of state may enter into an agreement to share voter information or data from the statewide centralized voter registration database for the purpose of comparing duplicate voter information with other states or groups of states. The secretary of state shall only provide information that is necessary for matching duplicate voter information with other states and shall take precautions to make sure that information in the database is secure in a manner consistent with RSA 654:45, VI. The secretary of state may solicit input from the department of safety and the department of information technology and shall ensure that any information or data shared between the agencies that is of a confidential nature remains confidential.

3 Effective Date.

I. Section 1 of this act shall take effect January 1, 2017.

II. The remainder of this act shall take effect 10 days after its passage.

#### AMENDED ANALYSIS

This bill requires political committees to file itemized statements earlier than is required under current law. This bill also authorizes the secretary of state to enter into an agreement to share voter information and data with other states or groups of states.

Reps. Schroader and Hoelzel spoke in favor.

Rep. Pearson spoke against.

Floor amendment (1858h) adopted.

Committee report adopted and ordered to third reading.

**SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Eaton for Finance. Due to some inheritance problems seen by the Senate, this bill adds further definitions to the language on the survivors' benefit of \$100,000 that the state pays on death in the line of duty for police and fire personnel. It recognizes that there are circumstances where

a dependent may be older than 18 or 25 and still be dependent. There are also complications from families with adopted children, and spouses who predecease the fire fighter or police officer. A previous House amendment added "stepchild" to the bill. But the committee learned that the impetus for that change came from one individual. The committee felt that "stepchild" status would be subject to court interpretation, and that including "stepchild" in this bill would lead to undue complications. Thus the amendment removes the "stepchild" language. Vote 26-0.

### **Amendment (1812h)**

Amend the introductory paragraph of RSA 21-I:29-a, I(b) as inserted by section 1 of the bill by replacing it with the following:

*(b) "Dependent child" means a child, whether by blood or adoption, of the police officer or firefighter who:*

Amend RSA 21-I:29-a, I as inserted by section 1 of the bill by deleting subparagraph (g).

Rep. Proulx spoke against and yielded to questions.

Rep. Eaton spoke in favor.

Rep. Horrigan requested a roll call; not sufficiently seconded.

On a division vote, with 167 members having voted in the affirmative, and 113 in the negative, the committee amendment was adopted.

Committee report adopted and ordered to third reading.

## **RESOLUTION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, May 19, 2016 at 10:00 a.m.

## **LATE SESSION**

### **Third Reading and Final Passage**

**SB 480-FN-A**, relative to the historical fund.

**SB 437**, establishing a commission to address child hunger in New Hampshire.

**SB 539**, relative to access to records under the child protection act.

**SB 300**, revising banking, credit union, and trust laws.

**SB 301**, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

**SB 306**, enabling the sampling of beer or wine at farmers' markets.

**SB 308**, relative to the definition of small loans and relative to certain fees on small loans.

**SB 401-FN**, relative to insurance coverage for prescription eye drops.

**SB 405**, making changes to the limited liability companies statutes.

**SB 417**, relative to employment contract restrictions upon physicians.

**SB 431**, relative to data submission by insurers.

**SB 379**, relative to additional tests to determine alcohol concentration.

**SB 391**, relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.

**SB 394**, relative to criminal history record checks of nursing home administrators.

**SB 544**, establishing a committee to study funding options for the Internet crimes against children task force.

**SB 310**, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.

**SB 329**, revising the nurse licensure compact.

**SB 424-FN**, relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor.

**SB 489**, authorizing a demonstration project using a Stirling engine system.

**SB 409-FN**, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

**SB 420-FN**, relative to aid to the permanently and totally disabled.



**SB 444-FN**, relative to lottery retailer incentive awards.

**SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants.

**SB 496-FN**, relative to personal care attendant services.

**SB 500-FN**, relative to student health insurance plans.

**SB 384**, relative to the feeding of wild deer.

**SB 127-FN**, relative to the appointment of special Medicaid representatives.

**SB 361**, banning the sale and possession of synthetic urine and urine additives.

**SB 419-FN**, relative to certain changes in the law governing the therapeutic use of cannabis.

**SB 439**, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services.

**SB 477-FN**, relative to nonemergency involuntary admissions.

**SB 487**, relative to missing vulnerable adults.

**SB 512**, relative to health care associated infections.

**SB 530-FN**, establishing a commission to study volunteer health care services.

**SB 553**, relative to implementation of the Medicaid managed care program.

**SB 402**, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

**SB 449**, relative to weekly payment of workers' compensation benefits.

**SB 418**, adding National Guard members to the absentee voting laws and relative to enrollment of laws.

**SB 438**, relative to the aesthetic maintenance of highways.

**SB 549-FN**, relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission.

**SB 363**, relative to OHRVs and snowmobiles held by a trust.

**SB 383**, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network.

**SB 436**, relative to after market automobile parts.

**SB 239-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax.

**SB 342-FN**, relative to the sale or exchange of an interest in a business organization under the business profits tax.

**SB 440-FN**, extending the date of the repeal of certain fees in the shoreland protection act.

**SB 494-FN-A**, limiting an exemption from the road toll.

**SB 510-FN**, relative to parking at state park parking meters.

**SB 521-FN**, relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

**SB 411**, relative to the merger of lots.

**SB 532-FN**, relative to prior authorization for substance use treatment.

**SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver.

**SB 339-FN**, relative to required DNA analysis for certain offenses.

**SB 498-FN**, relative to penalties for possession of certain controlled drugs.

**SB 483-FN**, establishing the position of chartered public school program officer in the department of education.

**SB 4**, relative to eligibility to vote and relative to availability of voter information.

**SB 423**, relating to the right of 17-year olds to register to vote.

**SB 315**, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

**SB 452-FN**, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions.

**SB 368-FN-A**, making a capital appropriation for department of environmental services monitoring equipment.

**SB 406-FN**, relative to classification of certain state employee positions and relative to the liquor commission.

**SB 464-FN-A**, establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account.

**SB 466-FN**, relative to the detention of youthful offenders at the youth development center.

**SB 481-FN**, relative to a special health care service license and making an appropriation therefor.

**SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

**SB 495-FN-A**, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, making appropriations to the department of administrative services, and relative to the definition of a cigar bar.

**SB 515-FN**, relative to the child protection act.

**SB 522-FN-A**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program, and relative to forfeiture of property.

**SB 527-FN-A**, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

**SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

**SB 376-FN**, relative to wildlife corridors.

**SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

**SB 534-FN**, to implement a system of care for children's behavioral health.

**SB 387**, relative to the disposition of ward accounts.

**SB 416**, relative to flexible working arrangements in employment.

**SB 429**, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs.

**SB 66**, naming the lobby of the legislative office building after former speaker of the house George Roberts.

**SB 59**, relative to the removal of county officers and temporary filling of the office.

**SB 482-FN-L**, establishing a committee to study the effect of short-term rentals on municipalities.

**SB 364**, establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

**SB 381**, relative to the combustion of the wood component of construction and demolition debris.

**SB 471-FN**, relative to parking for persons with disabilities.

**SB 478-FN**, permitting the online renewal of a nondriver's picture identification card.

**SB 550-FN**, relative to the maximum gross weight for dump trailers.

**SB 210-FN**, relative to regulation of septic system evaluators.

**SB 441-FN**, relative to discounts and admission without charge at state parks.

**SB 536**, relative to emergency interim relief under the child protection act.

**SB 538**, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities.

**SB 305**, relative to the brew pub license.

**SB 403**, relative to the sale of gift certificates with expiration dates.

**SB 458-FN**, relative to reporting by political committees and relative to agreements to share voter information with other states.

**SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

### UNANIMOUS CONSENT

Rep. Abramson requested Unanimous Consent of the House regarding an apology and addressed the House.

**RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 9:50 p.m.

**RECESS**

(Speaker Jasper in the Chair)

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1170, 1266, 1280, 1286, 1287, 1294, 1302, 1316, 1331, 1349, 1394, 1403, 1452, 1553, 1594, 1601 and 1618 and Senate Bills numbered 343, 358, 442, 453 and 543.

Rep. Hinch, Sen. Prescott for the Committee

**RECESS**

(Speaker Jasper in the Chair)

**ENROLLED BILL AMENDMENTS**

**HB 659-FN-L**, relative to eligibility for an absentee ballot.

**Amendment 2016-1914EBA**

Amend RSA 657:1 as inserted by section 1 of the bill by replacing line 10 with the following:  
children and infirm adults, with or without compensation.

Amend RSA 657:4, I as inserted by section 2 of the bill by replacing line 26 with the following:  
*application, the term "employment" shall include the care of children and infirm*

Amend RSA 657:7, II(a) as inserted by section 3 of the bill by replacing lines 11-12 with the following:  
am blind). *For the purposes of this certification, the term "working" shall include the care of children and infirm adults, with or without compensation.*

Amend RSA 669:26 as inserted by section 4 of the bill by replacing lines 10-11 with the following:  
RSA 669:27-669:29. *For the purposes of this section, the term "employment" shall include the care of children and infirm adults, with or without compensation.*

Motion adopted.

**HB 1264**, relative to carnival or amusement ride inspections.

**Amendment 2016-1915EBA**

Amend section 9 of the bill by replacing line 1 with the following:

9 Temporary Suspension; Required Insurance. Amend RSA 321-A:7 to read as follows:

Amend RSA 321-A:8 as inserted by section 10 of the bill by replacing line 4 with the following:  
petition. Thereafter, any person aggrieved by a decision of the commissioner or his *or her* designee may  
Motion adopted.

**HB 1357**, relative to the duties of the department of cultural resources.

**Amendment 2016-1976EBA**

Amend section 1 of the bill by replacing line 2 with the following:

RSA 21-K:2, II by inserting after subparagraph (d) the following new subparagraph:

Motion adopted.

**HB 1391**, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.

**Amendment 2016-1903EBA**

Amend RSA 287-E:11, III as inserted by section 1 of the bill by replacing line 3 with the following:  
~~shall not exceed the total value of \$500]~~ *this section, in any one game on any calendar day, shall*  
Motion adopted.

**HB 1588**, repealing certain prohibitions on employment of state employees.

**Amendment 2016-1907EBA**

Amend section 1 of the bill by replacing line 4 with the following:

II. RSA 21-I:14-b, relative to the prohibition on future employment for employees of the  
Motion adopted.

**HB 1664-FN**, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

**Amendment 2016-1971EBA**

Amend section 3 of the bill by replacing line 1 with the following:

3 New Paragraph; Managed Care; Provider Contract Standards. Amend RSA 420-J:8 by inserting after Amend RSA 420-J:8, XV(a)(2)(B) as inserted by section 3 of the bill by replacing line 2 with the following:

investigate and resolve the appeal within 30 business days;

Amend RSA 420-J:8, XV(a)(2)(C)(ii) as inserted by section 3 of the bill by replacing line 2 with the following:

by contracted pharmacies at a price at or below the maximum allowable cost; and

Motion adopted.

**HCR 12**, urging support of the 65/25 initiative in New Hampshire.

**Amendment 2016-1968EBA**

Amend the third paragraph after the title of the resolution by replacing line 1 with the following:

Whereas, the 65/25 goal is designed as an effort to improve the quality of, access to, and relevance of

Motion adopted.

**SENATE MESSAGES****ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE**

**HB 285**, relative to discussion with legal counsel under the right-to-know law.

The President appointed Senators Carson, Cataldo and Pierce.

**HB 353-FN**, relative to the governance of condominium unit owners' associations.

The President appointed Senators Stiles, Prescott and Pierce.

**HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee.

The President appointed Senators Prescott, Avard and Fuller Clark.

**HB 606-FN-L**, relative to costs for public records filed electronically.

The President appointed Senators Carson, Cataldo and Soucy.

**CONCURRENCE**

**HB 1212**, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton.

**HB 1293**, relative to the procedure for charter amendments.

**HB 1305**, relative to the use of an ignition interlock device.

**HB 1354**, establishing a committee to study livestock and meat inspection.

**HB 1453**, relative to qualifying medical conditions for purposes of therapeutic cannabis.

**HB 1468**, relative to sessions for correction of the checklist.

**HB 1482**, relative to the Interstate Voter Registration Crosscheck Program.

**LAI D ON THE TABLE**

**HB 1356**, relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

**REFERRED FOR INTERIM STUDY**

**HB 1477**, relative to the grace period for motor vehicle inspections.

**HB 1508**, allowing public libraries to run certain privacy software.

**NONCONCURRENCE**

**HB 504**, relative to online driver education.

**HB 1132**, relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

**HB 1203**, relative to voting on variances.

**HB 1322**, relative to reports to the public employee labor relations board.

**HB 1382**, relative to the referendum procedure for public water systems.

**HB 1455**, relative to the application of the municipal budget law to village districts wholly within a town.

**HB 1605-FN**, prohibiting the use of latex gloves and utensils in the food service industry.

### **CONCURRENCE WITH AMENDMENTS**

**SB 341**, establishing a committee to study guardianship in New Hampshire.

**SB 345**, relative to the definition of agritourism.

**SB 467-FN**, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

**SB 468-FN**, relative to changes to the sex offender registry.

**SB 481-FN**, relative to a special health care service license and making an appropriation therefor.

**SB 488-FN-L**, establishing an advisory council on lactation.

**SB 509-FN**, relative to voter registration forms and relative to voter identity verification.

### **RECESS**

**(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.

## HOUSE JOURNAL NO. 14

Thursday, May 19, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O God, our Creator, Redeemer, and Sustainer, You know each one of us by name and You delight in our efforts to use the gifts You have given us. We thank You for our Governor, for the members of this House, for the administrative staff, and for all who govern, support, and sustain the State of New Hampshire and represent us in our nation's capital. We pray for Your blessing on each of them. Inspire today's discussions and deliberations so that every decision may be grounded in full knowledge and understanding of the issues, concern for the needs of our citizens, a deep desire for justice, and confidence in the abundance of gifts, abilities, and skills that have been brought to this place. We pray in faith, trusting that You will guide us in the ways of wisdom and truth. Amen.

Rep. Tholl, member from Whitefield, led the Pledge of Allegiance.

The National Anthem was sung by Alan St. Louis of Nashua.

### LEAVES OF ABSENCE

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Comtois, Doherty, Kellogg, Kidder, Moody, Priestley, Rappaport, Sanders and Sterling, the day, illness.

Reps. Beaudoin, Beaulieu, Booras, Cooney, Cornell, Dean-Bailey, DeSimone, Donovan, Edelblut, Elliott, Friel, Goulette, Hagan, Hess, Hill, Hoell, Hurt, Lundgren, McNamara, Moore, Nigrello, O'Connor, O'Hearne, O'Neil, Olin, Kimberly Rice, Seidel, Shackett, Gregory Smith, Steven Smith, Stevens, Takesian, Townsend, Vann, Varney, Vose, Wallner and Joanne Ward, the day, important business.

Reps. Butler and Tucker, the day, illness in the family.

### INTRODUCTION OF GUESTS

Dan Scott and Joe Fournier, students at Nashua Christian Academy, and Dylan Laleme, student at Profile High School, Pages for the day.

Sandra Leieach guest of Rep. June Frazer. Jim and Sue Haemker, guests of Rep. Abrami. Julie Roberts, guest of Rep. Horrigan. Nancy Guthrie, wife of Rep. Guthrie. Fourth grade students from Strong Foundations School in Pembroke, guests of Reps. Seaworth, Schuett and Doherty. Fourth grade students from Florence-Rideout Elementary School, guests of Reps. Williams, Carol Roberts, and McNamara.

### COMMUNICATION

May 11, 2016

Rep. Shawn Jasper  
Speaker of the House  
House Majority Office  
New Hampshire House of Representatives  
State House Room 313  
Concord, NH 03301

Re: Relocation/Resignation

Mr. Speaker,

Family circumstances have caused my relocation outside of my representative district (Hillsborough 23). Unfortunately, in light of recent rulings, this relocation, however temporary, requires that I resign my position as a State Representative.

It has been an honor to represent the people of Milford, Hillsborough County, and the great State of New Hampshire for the past two terms. It is comforting to know that there are so many dedicated, passionate, and intelligent people serving our state in the legislature. I will miss being a member of the House and will remain active in my efforts to advocate for the people of my district even though I can no longer do so in my official capacity as their representative.

It has been a tremendous learning experience and a pleasure to work with my colleagues to accomplish the important work of the state legislature.

Sincerely,

Rep. Shawn Sweeney

### AMENDMENT TO HOUSE RULES

Reps. Hinch and Shurtleff moved the adoption of an amendment to House Rule 65, as proposed by the House Rules Committee, adding deadlines for legislative action, and as printed in House Calendar No. 30.

Monday, September 12, 2016

First day for incumbents running for re-election to file LSRs with complete information

Friday, September 23, 2016

Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information

Friday, October 28, 2016

Last day to file 2016 Interim Study reports

Monday, November 14, 2016

First day for all Representatives to file LSRs with complete information

Friday, December 2, 2016 at 3:00 p.m.

Last day to file LSRs with complete information

Friday, January 6, 2017 at 12:00 p.m.

Ten day sign-off period begins

Friday, January 27, 2017

Last day to sign-off on all LSRs

Last day to introduce House Bills

Last day to amend House Rules by majority vote

Motion adopted by the necessary two-thirds vote.

### SENATE MESSAGES

#### NONCONCURS WITH AMENDMENTS

#### REQUESTS COMMITTEE OF CONFERENCE

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

The President appointed Sens. Reagan, Cataldo and Soucy.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Andrew Christie, Sytek, Goley and Hansen.

**SB 326**, relative to the membership of the community college system of New Hampshire board of trustees.

The President appointed Sens. Reagan, Avard and Kelly.

Rep. Ladd moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Ladd, Weyler, Hinch and Heath.

#### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 378**, establishing a committee to study RSA 461-A, relative to parental rights and responsibilities. (Amendment printed SJ 5/5/16)

Rep. Gargas moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 131 members having voted in the affirmative, and 152 in the negative, the motion failed.

Rep. Shurtleff moved to concur.

Motion adopted.

**HB 197-FN**, establishing a commission to evaluate the 3-tier system. (Amendment printed SJ 5/12/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 135 members having voted in the affirmative, and 155 in the negative, the motion failed.

Rep. Shurtleff moved to concur.  
Motion adopted.

**HB 1182-FN**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. (Amendment printed SJ 5/12/16)

Reps. Hunt and Major moved that the House nonconcur and request a Committee of Conference. On a division vote, with 217 members having voted in the affirmative, and 82 in the negative, the motion was adopted.

The Speaker appointed Reps. Hunt, Biggie, Abel and Kurk.

**HB 1590-FN-A-L**, relative of taxation of short-term rentals. (Amendment printed SJ 5/12/16)

Reps. Hunt and Major moved that the House nonconcur and request a Committee of Conference. On a division vote, with 144 members having voted in the affirmative, and 160 in the negative, the motion failed.

Rep. Shurtleff moved to concur.

Rep. Hunt yielded to questions.

On a division vote, with 153 members having voted in the affirmative, and 150 in the negative, the motion was adopted.

**HB 1608-FN**, relative to uniform prior authorization forms. (Amendment printed SJ 5/12/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion failed.

Rep. Shurtleff moved to concur.

Rep. Hunt yielded to questions.

On a division vote, with 162 members having voted in the affirmative, and 155 in the negative, the motion was adopted.

**HB 1637-FN**, relative to school attendance in towns with no public schools. (Amendment printed SJ 5/12/16)

Rep. Ladd moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 178 members having voted in the affirmative, and 137 in the negative, the motion was adopted.

The Speaker appointed Reps. Ladd, Hinch, Jasper and Packard.

**HB 1503**, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax. (Amendment printed SJ 5/12/16)

Rep. Hoelzel moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 289 members having voted in the affirmative, and 26 in the negative, the motion was adopted.

The Speaker appointed Reps. Gray, Jasper, Abrami and Rosenwald.

**HB 533**, relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules. (Amendment printed SJ 5/5/16)

Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 305 members having voted in the affirmative, and 8 in the negative, the motion was adopted.

The Speaker appointed Reps. Andrew Christie, Packard, Parker and Gagnon.

**HB 602-FN**, relative to the use of drones. (Amendment printed SJ 5/12/16)

Reps. Andrew Christie and Tholl moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 312 members having voted in the affirmative, and 2 in the negative, the motion was adopted.

The Speaker appointed Reps. Andrew Christie, Kurk, Cushing and Parker.

**HB 1404-FN**, relative to certain positions in the insurance department. (Amendment printed SJ 4/21/16)

Reps. Andrew Christie and Kurk moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Kurk, Andrew Christie, Lynne Ober and Leishman.



**HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program. (Amendment printed SJ 5/12/16)

Rep. Kurk moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 312 members having voted in the affirmative, and 2 in the negative, the motion was adopted.

The Speaker appointed Reps. Lynne Ober, Chris Christensen, Packard and Shurtleff.

**HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (Amendment printed SJ 5/12/16)

Rep. Kurk moved that the House nonconcur and request a Committee of Conference.

The House recessed at 10:50 a.m.

### RECESS

The House reconvened at 10:56 a.m.

**(Speaker Jasper in the Chair)**

### HB 1591-FN-A CONT'D

Rep. Kurk withdrew his motion to nonconcur and request a Committee of Conference.

Rep. Kurk moved to nonconcur.

Rep. Lynne Ober spoke in favor.

Motion adopted.

Rep. Irwin declared a conflict of interest and did not participate.

The House recessed at 11:00 a.m.

### RECESS

The House reconvened at 11:30 a.m.

**(Speaker Jasper in the Chair)**

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Barry moved that the House reconsider its action whereby, on a division vote of 153-150, the House adopted the motion to concur on **HB 1590-FN-A-L**, relative to taxation of short-term rentals.

Rep. Hinch requested a roll call; sufficiently seconded.

### YEAS 183 - NAYS 129

#### YEAS - 183

#### BELKNAP

Aldrich, Glen  
Fisher, Robert  
Spanos, Peter

Dumais, Russell  
Flanders, Donald  
Sylvia, Michael

Tilton, Franklin  
Gallagher, Brian  
Fraser, Valerie

Fields, Dennis  
Howard, Raymond

#### CARROLL

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill

#### CHESHIRE

Emerson, Susan

Hunt, John

Roberts, Kris

McConnell, James

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**Almy, Susan  
Johnson, EricBrown, Duane  
Gionet, EdmondDarrow, Stephen  
Hull, RobertHennessey, Erin  
Ladd, Rick**HILLSBOROUGH**Adams, Christopher  
Barry, Richard  
Byron, Frank  
Estevez, Eric  
Gagne, Larry  
Gould, Linda  
Hinch, Richard  
Belanger, James  
Lachance, Joseph  
McClarren, Donald  
Notter, Jeanine  
Parison, James  
Proulx, Mark  
Rowe, Robert  
Shaw, Barbara  
Ulery, JordanAmmon, Keith  
Biggie, Barbara  
Coffey, James  
Ferreira, Elizabeth  
Gargas, Carolyn  
Haefner, Robert  
Hogan, Edith  
Kurk, Neal  
LeBrun, Donald  
McLean, Mark  
Ohm, Bill  
Pellegriano, Anthony  
Christie, Rick  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, VictoriaGriffin, Barbara  
Boehm, Ralph  
Danielson, David  
Flanagan, Jack  
Gidge, Kenneth  
Halstead, Carolyn  
Hopper, Gary  
Christiansen, Lars  
Marston, Dick  
Murotake, David  
McCarthy, Peggy  
Peterson, Ken  
Ober, Russell  
Schleien, Eric  
Souza, Kathleen  
Wolf, TerryBalcom, John  
Burt, John  
Eastman, Eric  
Fromuth, Bart  
Gonzalez, Carlos  
Hansen, Peter  
Infantine, William  
Ober, Lynne  
Martel, Andre  
Murphy, Keith  
Palmer, Barry  
Pierce, David  
Rouillard, Claire  
Scotsas, Lisa  
Twombly, Timothy  
Zarick, Nick**MERRIMACK**Brewster, Michael  
French, Harold  
Marple, RichardMcGuire, Carol  
Horn, Werner  
Martin, JohnLong, Douglas  
Kotowski, Frank  
Seaworth, BrianMcGuire, Dan  
Kuch, Bill  
Walsh, Thomas**ROCKINGHAM**Christie, Andrew  
Baldasaro, Alfred  
Cardon, G. Thomas  
Devine, James  
Rice, Frederick  
Green, Dennis  
Hoelzel, Kathleen  
Kappler, Lawrence  
Major, Norman  
McMahon, Charles  
Peckham, Michele  
Schroadter, Adam  
Weyler, KennethAbrami, Patrick  
Barnes, Arthur  
Chirichiello, Brian  
Duarte, Joe  
Ferrante, Beverly  
Guthrie, Joseph  
Introne, Robert  
Katsakiores, Phyllis  
Manning, John  
Miltz, David  
Potucek, John  
Sytek, John  
Woitkun, StevenAbramson, Max  
Bates, David  
Cook, Allen  
Emerick, J. Tracy  
Fesh, Robert  
Harris, Jeffrey  
Itse, Daniel  
Kolodziej, Walter  
Matthews, Carolyn  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
True, ChrisAzarian, Gary  
Bush, Carol  
Thomas, Douglas  
Chase, Francis  
Gannon, William  
Hodgdon, Bruce  
Sweeney, Joe  
Griffin, Mary  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
Webb, James**STRAFFORD**Bickford, David  
Gray, James  
Jones, Laura  
Leeman, DonCheney, Catherine  
Groen, Warren  
Kaczynski, Thomas  
Mullen, JohnDeLemus, Susan  
Hannon, Joseph  
Knowles, Robert  
Pitre, JosephGraham, Robert  
Horrigan, Timothy  
Turcotte, Leonard  
Wuelper, Kurt**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

**NAYS - 129  
CARROLL**

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Chase, Cynthia  
Parkhurst, Henry  
Sad, Tara

Tilton, Benjamin  
Eaton, Daniel  
Pearson, William  
Shepardson, Marjorie

Berch, Paul  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

**COOS**

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Bennett, Travis  
Maes, Kevin  
Brown, Rebecca

Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Sullivan, Daniel  
Freitas, Mary  
Heath, Mary  
Leishman, Peter  
Brown, Pamela  
Rosenwald, Cindy  
Smith, Timothy

Bouldin, Amanda  
DiSilvestro, Linda  
Gorman, Mary  
Herbert, Christopher  
O'Brien, Michael  
Long, Patrick  
Shattuck, Gilman  
Williams, Kermit

Roberts, Carol  
Edwards, Elizabeth  
Hansberry, Daniel  
Jack, Martin  
Mangipudi, Latha  
Porter, Marjorie  
Snow, Kendall  
Woodbury, David

Cohen, Alan  
Forest, Armand  
Harvey, Suzanne  
Judy, Jean  
Manley, Jonathan  
Walsh, Robert  
Soucy, Timothy

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Gile, Mary  
Karrick, David  
Myler, Mel  
Saunderson, George

Alicea, Caroletta  
Rice, Chip  
Henle, Paul  
Kenison, Linda  
Patten, Dick  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
Hirsch, Geoffrey  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Ebel, Karen  
Frazer, June  
MacKay, James  
Rogers, Katherine  
Wheeler, Deborah

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Ward, Gerald  
Gordon, Pamela

Borden, David  
DiFranco, Debbie  
Heffron, Frank  
Pantelakos, Laura

Cahill, Michael  
Edgar, Michael  
Lovejoy, Patricia  
Sherman, Thomas

Cali-Pitts, Jacqueline  
Francese, Paula  
McBeath, Rebecca  
Simpson, Alexis

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Smith, Marjorie  
Sprague, Dale

Berube, Roger  
DiSesa, Len  
Schmidt, Peter  
Treleaven, Susan

Bixby, Peter  
Ward, Kenneth  
Rollo, Deanna  
Verschueren, James

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
and the motion was adopted.

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond

The question now being adoption of the motion to concur.  
Motion failed.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Hunt moved that the House reconsider its action whereby, on a division vote of 144-160, the House failed to adopt the motion to nonconcur and request a Committee of Conference on **HB 1590-FN-A-L**, relative of taxation of short-term rentals. On a division vote, with 188 members having voted in the affirmative, and 128 in the negative, the motion was adopted.

The question now being adoption of the motion to nonconcur and request a Committee of Conference.  
Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Butler and Abrami.

**HB 1695-FN**, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports. (Amendment printed SJ 5/12/16)  
Reps. Kotowski and Kurk moved that the House nonconcur and request a Committee of Conference. On a division vote, with 294 members having voted in the affirmative, and 20 in the negative, the motion was adopted.

The Speaker appointed Reps. Stephen Schmidt, Jasper, Weyler and Rosenwald.

**HB 2016**, relative to the state 10-year transportation improvement program. (Amendment printed SJ 5/12/16)

Rep. Chandler moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 312 members having voted in the affirmative, and 1 in the negative, the motion was adopted.

The Speaker appointed Reps. Chandler, McConkey, Gionet and Cloutier.

**HB 280-FN**, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans. (Amendment printed SJ 5/12/16)

Reps. Steven Smith and Kurk moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Hunt and Sykes.

## COMMUNICATION

Speaker Shawn Jasper  
State House Room 312  
Concord, NH 03301  
May 16, 2016

Dear Mr. Speaker;

It is with much regret that I must resign my House seat, Merrimack District 16.

It has been a great honor and privilege to represent the citizens of my district for two terms. I am pleased to have participated in the passage of important legislation, such as Medicaid Expansion, that has improved the lives of the citizens of New Hampshire.

I am hopeful that the New Hampshire House will maintain a spirit of bipartisanship, shared problem solving and open government.

Sincerely yours,  
Representative Helen Deloge  
30 Wilson Avenue  
Concord, New Hampshire 03301

## SENATE MESSAGES CONT'D

### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 1396**, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. (Amendment printed SJ 5/12/16)

Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 192 members having voted in the affirmative, and 125 in the negative, the motion was adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Laware and Soucy.

**HB 1697-FN**, relative to the operation and insurance of transportation network companies. (Amendment printed SJ 5/12/16)

Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference.  
Motion adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Packard and Hunt.

**HB 668-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Amendment printed SJ 5/12/16)

Rep. Major moved that the House nonconcur and request a Committee of Conference.  
Motion adopted.

The Speaker appointed Reps. Major, Abrami, Gallagher and Lovejoy.

**HB 1385-FN-A**, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Amendment printed SJ 5/5/16)

Rep. Major moved that the House nonconcur and request a Committee of Conference.  
Motion adopted.

The Speaker appointed Reps. Major, Abrami, Lachance and Lovejoy.

**HB 1656-FN**, relative to exceptions to the real estate transfer tax. (Amendment printed SJ 5/5/16)

Rep. Major moved that the House nonconcur and request a Committee of Conference.  
Motion adopted.

The Speaker appointed Reps. Abrami, Hess, Ohm and Ames.

**HB 1660-FN-L**, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund. (Amendment printed SJ 4/28/16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 179 members having voted in the affirmative, and 138 in the negative, the motion was adopted.

The Speaker appointed Reps. Rowe, Rouillard, Wall and Introne.

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation. (Amendment printed SJ 5/12/16)

Rep. Kotowski moved that the House nonconcur and request a Committee of Conference.

Rep. Schleien spoke against and yielded to questions.

Reps. Abramson and Kotowski spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

## YEAS 181 - NAYS 138

### YEAS - 181

#### BELKNAP

Aldrich, Glen  
Flanders, Donald  
Sylvia, Michael

Dumais, Russell  
Gallagher, Brian  
Fraser, Valerie

Tilton, Franklin  
Howard, Raymond

Fields, Dennis  
Spanos, Peter

#### CARROLL

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill

#### CHESHIRE

Bordenet, John

Emerson, Susan

Hunt, John

McConnell, James

#### COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

**GRAFTON**

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

Johnson, Eric

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Eastman, Eric  
Gagne, Larry  
Gould, Linda  
Hansen, Peter  
Infantine, William  
Ober, Lynne  
Martel, Andre  
Murphy, Keith  
Palmer, Barry  
Pierce, David  
Rouillard, Claire  
Shaw, Barbara  
Sullivan, Victoria

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Estevez, Eric  
Gargas, Carolyn  
Haefner, Robert  
Hinch, Richard  
Belanger, James  
Lachance, Joseph  
McClarren, Donald  
Notter, Jeanine  
Parison, James  
Proulx, Mark  
Rowe, Robert  
Simmons, Tammy  
Wolf, Terry

Griffin, Barbara  
Boehm, Ralph  
Coffey, James  
Ferreira, Elizabeth  
Gidge, Kenneth  
Halstead, Carolyn  
Hogan, Edith  
Kurk, Neal  
LeBrun, Donald  
McLean, Mark  
Ohm, Bill  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Twombly, Timothy

Balcom, John  
Burt, John  
Danielson, David  
Flanagan, Jack  
Gonzalez, Carlos  
Hansberry, Daniel  
Hopper, Gary  
Christiansen, Lars  
Marston, Dick  
Murotake, David  
McCarthy, Peggy  
Peterson, Ken  
Ober, Russell  
Scotsas, Lisa  
Ulery, Jordan

**MERRIMACK**

Bradley, Paula  
McGuire, Dan  
Kuch, Bill  
Seaworth, Brian

Brewster, Michael  
French, Harold  
Marple, Richard  
Walsh, Thomas

McGuire, Carol  
Horn, Werner  
Martin, John

Long, Douglas  
Kotowski, Frank  
Rogers, Katherine

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Chirichiello, Brian  
Doucette, Fred  
Rice, Frederick  
Green, Dennis  
Hoelzel, Kathleen  
Kappler, Lawrence  
Major, Norman  
McMahon, Charles  
Peckham, Michele  
Schroader, Adam  
Woitkun, Steven

Abrami, Patrick  
Barnes, Arthur  
Cook, Allen  
Duarte, Joe  
Ferrante, Beverly  
Guthrie, Joseph  
Introne, Robert  
Katsakiores, Phyllis  
Manning, John  
Milz, David  
Potucek, John  
Sytek, John

Abramson, Max  
Bates, David  
Thomas, Douglas  
Emerick, J. Tracy  
Fesh, Robert  
Harris, Jeffrey  
Itse, Daniel  
Kolodziej, Walter  
Matthews, Carolyn  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
True, Chris

Azarian, Gary  
Bush, Carol  
Devine, James  
Chase, Francis  
Gannon, William  
Hodgdon, Bruce  
Sweeney, Joe  
Griffin, Mary  
McKinney, Betsy  
Packard, Sherman  
Gordon, Richard  
Webb, James

**STRAFFORD**

Berube, Roger  
Graham, Robert  
Jones, Laura  
Leeman, Don

Bickford, David  
Gray, James  
Kaczynski, Thomas  
Mullen, John

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Pitre, Joseph

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

**SULLIVAN**

Schmidt, Andrew

Grenier, James

Laware, Thomas

Rollins, Skip

**NAYS - 138****BELKNAP**

Fisher, Robert

**CARROLL**

Comeau, Ed

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Phillips, Larry  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Tilton, Benjamin  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara

Berch, Paul  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

**COOS**

Frobург, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Bennett, Travis  
Maes, Kevin  
Brown, Rebecca

Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Cohen, Alan  
Edwards, Elizabeth  
Gorman, Mary  
Herbert, Christopher  
O'Brien, Michael  
Long, Patrick  
Schleien, Eric  
Souza, Kathleen  
Zaricki, Nick

Baroody, Benjamin  
Cote, David  
Forest, Armand  
Guerette, C. Lee  
Jack, Martin  
Mangipudi, Latha  
Porter, Marjorie  
Shattuck, Gilman  
Smith, Timothy

Bouldin, Amanda  
Sullivan, Daniel  
Freitas, Mary  
Harvey, Suzanne  
Judy, Jean  
Manley, Jonathan  
Walsh, Robert  
Snow, Kendall  
Williams, Kermit

Roberts, Carol  
DiSilvestro, Linda  
Fromuth, Bart  
Heath, Mary  
Leishman, Peter  
Brown, Pamela  
Rosenwald, Cindy  
Soucy, Timothy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Rice, Chip  
Henle, Paul  
Kenison, Linda  
Myler, Mel  
Schuett, Dianne

Alicea, Caroletta  
Carson, Clyde  
Hirsch, Geoffrey  
Luneau, David  
Patten, Dick  
Shurtliff, Stephen

French, Barbara  
Ebel, Karen  
Frazer, June  
MacKay, James  
Ratzki, Mario  
Wheeler, Deborah

Bartlett, Christy  
Gile, Mary  
Karrick, David  
Moffett, Howard  
Saunderson, George

**ROCKINGHAM**

Berrien, Skip  
Cardon, G. Thomas  
Francesse, Paula  
McBeath, Rebecca  
Simpson, Alexis

Borden, David  
Cushing, Robert  
Ward, Gerald  
Gordon, Pamela

Cahill, Michael  
DiFranco, Debbie  
Heffron, Frank  
Pantelakos, Laura

Cali-Pitts, Jacqueline  
Edgar, Michael  
Lovejoy, Patricia  
Sherman, Thomas

**STRAFFORD**

Baber, William  
DiSesa, Len  
Smith, Marjorie  
Sprague, Dale

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Treleaven, Susan

Burton, Wayne  
Ward, Kenneth  
Rollo, Deanna  
Verschueren, James

Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

and the motion was adopted.

The Speaker appointed Reps. Stephen Schmidt, MacKay, LeBrun and Pamela Gordon.

The House recessed at 12:00 p.m.

**RECESS**

The House reconvened at 1:00 p.m.

**(Speaker Jasper in the Chair)****SPECIAL ORDERED**

Without objection, the Speaker made the next order of business the bills from the Education Committee due to Committee of Conference scheduling conflicts.

**SENATE MESSAGES CONT'D****REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 1272-FN**, relative to bus transportation for chartered public school students. (Amendment printed SJ 5/5/16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

**HB 1644-FN**, relative to screening and intervention for dyslexia and related disorders, establishing a reading specialist position in the department of education, and making a technical correction. (Amendments printed SJ 5/5/16)

Reps. Ladd and Kurk moved that the House concur.

Rep. Ladd spoke in favor.

Motion adopted.

**MOTION TO REMOVE FROM THE TABLE**

Rep. Ulery moved that **SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution, be removed from the table.

Rep. Timothy Smith requested a roll call; sufficiently seconded.

**YEAS 171 - NAYS 106****YEAS - 171****BELKNAP**

Aldrich, Glen  
Howard, Raymond

Dumais, Russell

Flanders, Donald

Gallagher, Brian

**CARROLL**

Avellani, Lino

McCarthy, Frank

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Mann, John  
Robertson, Timothy

Ames, Richard  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara

Tilton, Benjamin  
Roberts, Kris  
Pearson, William  
Shepardson, Marjorie

Bordenet, John  
Ley, Douglas  
Phillips, Larry  
Weber, Lucy

**COOS**

Fothergill, John

Moynihan, Wayne

Rideout, Leon

Theberge, Robert

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Higgins, Patricia  
Piper, Wendy

Almy, Susan  
Johnson, Eric  
Hennessey, Martha  
Brown, Rebecca

Bennett, Travis  
Ford, Susan  
Maes, Kevin  
Smith, Suzanne

Darrow, Stephen  
Gionet, Edmond  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Cohen, Alan  
Edwards, Elizabeth  
Fromuth, Bart  
Hansberry, Daniel

Balcom, John  
Cote, David  
Estevez, Eric  
Gonzalez, Carlos  
Harvey, Suzanne

Boehm, Ralph  
Danielson, David  
Forest, Armand  
Gorman, Mary  
Heath, Mary

Roberts, Carol  
Eastman, Eric  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher



Hopper, Gary  
Christiansen, Lars  
Marston, Dick  
Long, Patrick  
Proulx, Mark  
Shattuck, Gilman  
Ulery, Jordan

Infantine, William  
O'Brien, Michael  
McClarren, Donald  
McCarthy, Peggy  
Christie, Rick  
Shaw, Barbara  
Williams, Kermit

Belanger, James  
Mangipudi, Latha  
Murotake, David  
Peterson, Ken  
Walsh, Robert  
Snow, Kendall  
Wolf, Terry

Jack, Martin  
Manley, Jonathan  
Murphy, Keith  
Porter, Marjorie  
Rouillard, Claire  
Smith, Timothy  
Zaricki, Nick

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Walsh, Thomas

Bartlett, Christy  
Long, Douglas  
Hirsch, Geoffrey  
Kuch, Bill  
Myler, Mel  
Schuett, Dianne  
Wheeler, Deborah

Bradley, Paula  
Gile, Mary  
Horn, Werner  
Luneau, David  
Ratzki, Mario  
Seaworth, Brian

Rice, Chip  
French, Harold  
Frazer, June  
MacKay, James  
Rogers, Katherine  
Shurtleff, Stephen

### ROCKINGHAM

Abramson, Max  
Cahill, Michael  
Cushing, Robert  
Emerick, J. Tracy  
Guthrie, Joseph  
Lovejoy, Patricia  
Prudhomme-O'Brien, Katherine  
Simpson, Alexis

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Francese, Paula  
Harris, Jeffrey  
McBeath, Rebecca  
Gordon, Richard  
True, Chris

Berrien, Skip  
Cardon, G. Thomas  
Duarte, Joe  
Ward, Gerald  
Heffron, Frank  
Gordon, Pamela  
Schroadter, Adam  
Woitkun, Steven

Borden, David  
Cook, Allen  
Edgar, Michael  
Green, Dennis  
Itse, Daniel  
Pantelakos, Laura  
Sherman, Thomas

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Kaczynski, Thomas  
Southworth, Thomas

Bickford, David  
Groen, Warren  
Leeman, Don  
Verschueren, James

Bixby, Peter  
Hannon, Joseph  
Schmidt, Peter  
Wall, Janet

Burton, Wayne  
Horrigan, Timothy  
Rollo, Deanna

### SULLIVAN

Cloutier, John  
Irwin, Virginia

Converse, Larry  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

Grenier, James

### NAYS - 106

#### BELKNAP

Tilton, Franklin  
Fraser, Valerie

Fields, Dennis

Spanos, Peter

Sylvia, Michael

### CARROLL

Buco, Thomas  
Nelson, Bill

Chandler, Gene  
Schmidt, Stephen

Crawford, Karel  
Umberger, Karen

McConkey, Mark

### CHESHIRE

Berch, Paul  
Tatro, Bruce

Chase, Cynthia

Hunt, John

McConnell, James

### COOS

Froburg, Alethea

Tholl, John

### GRAFTON

Brown, Duane  
Nordgren, Sharon

Hull, Robert

Ingbretson, Paul

Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
 Biggie, Barbara  
 Ferreira, Elizabeth  
 Haefner, Robert  
 Kurk, Neal  
 Notter, Jeanine  
 Pierce, David  
 Simmons, Tammy  
 Woodbury, David

Ammon, Keith  
 Burt, John  
 Gagne, Larry  
 Hansen, Peter  
 Ober, Lynne  
 Brown, Pamela  
 Ober, Russell  
 Souza, Kathleen

Griffin, Barbara  
 Byron, Frank  
 Gargas, Carolyn  
 Hinch, Richard  
 LeBrun, Donald  
 Palmer, Barry  
 Rowe, Robert  
 Twombly, Timothy

Barry, Richard  
 Christensen, Chris  
 Gould, Linda  
 Hogan, Edith  
 McLean, Mark  
 Parison, James  
 Scotsas, Lisa  
 Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
 Kotowski, Frank

McGuire, Carol  
 Marple, Richard

McGuire, Dan  
 Martin, John

Kenison, Linda

**ROCKINGHAM**

Christie, Andrew  
 Chirichiello, Brian  
 Chase, Francis  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 Matthews, Carolyn  
 Peckham, Michele  
 Weyler, Kenneth

Abrami, Patrick  
 Thomas, Douglas  
 Rice, Frederick  
 Introne, Robert  
 Griffin, Mary  
 Milz, David  
 Potucek, John

Baldasaro, Alfred  
 Devine, James  
 Gannon, William  
 Kappler, Lawrence  
 Major, Norman  
 Osborne, Jason  
 Sytek, John

Bates, David  
 Doucette, Fred  
 Hodgdon, Bruce  
 Katsakiores, Phyllis  
 Manning, John  
 Packard, Sherman  
 Webb, James

**STRAFFORD**

Berube, Roger  
 Gray, James  
 Turcotte, Leonard

Cheney, Catherine  
 Jones, Laura  
 Smith, Marjorie

DeLemus, Susan  
 Kaen, Naida  
 Mullen, John

Graham, Robert  
 Knowles, Robert  
 Wuelper, Kurt

**SULLIVAN**

Laware, Thomas  
 and the motion was adopted.

The question now being adoption of the motion of Ought to Pass.  
 Rep. Timothy Smith moved the previous question.

On a division vote, with 176 members having voted in the affirmative, and 113 in the negative, the motion was adopted and debate was limited.

The question now being adoption of the motion of Ought to Pass.  
 Rep. Timothy Smith requested a roll call; sufficiently seconded.

**YEAS 171 - NAYS 119****YEAS - 171****BELKNAP**

Aldrich, Glen

Dumais, Russell

Gallagher, Brian

**CARROLL**

Crawford, Karel

McCarthy, Frank

McConkey, Mark

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 Ley, Douglas  
 Phillips, Larry  
 Weber, Lucy

Ames, Richard  
 Eaton, Daniel  
 Mann, John  
 Robertson, Timothy

Tilton, Benjamin  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Sad, Tara

Bordenet, John  
 Roberts, Kris  
 Pearson, William  
 Shepardson, Marjorie

**COOS**

Fothergill, John  
Theberge, Robert

Hatch, William

Moynihan, Wayne

Rideout, Leon

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Higgins, Patricia  
Massimilla, Linda  
Sykes, George

Almy, Susan  
Johnson, Eric  
Ladd, Rick  
Piper, Wendy

Bennett, Travis  
Ford, Susan  
Hennessey, Martha  
Brown, Rebecca

Darrow, Stephen  
Gionet, Edmond  
Maes, Kevin  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Cohen, Alan  
Eastman, Eric  
Freitas, Mary  
Hansberry, Daniel  
Hopper, Gary  
Ober, Lynne  
Manley, Jonathan  
Brown, Pamela  
Porter, Marjorie  
Walsh, Robert  
Soucy, Timothy  
Wolf, Terry

Boehm, Ralph  
Cote, David  
Edwards, Elizabeth  
Gonzalez, Carlos  
Harvey, Suzanne  
Infantine, William  
Leishman, Peter  
Marston, Dick  
Long, Patrick  
Proulx, Mark  
Rouillard, Claire  
Smith, Timothy  
Zaricki, Nick

Bouldin, Amanda  
Sullivan, Daniel  
Estevez, Eric  
Gorman, Mary  
Heath, Mary  
Jack, Martin  
O'Brien, Michael  
McClarren, Donald  
McCarthy, Peggy  
Christie, Rick  
Shaw, Barbara  
Sullivan, Victoria

Roberts, Carol  
Danielson, David  
Forest, Armand  
Guerette, C. Lee  
Herbert, Christopher  
Christiansen, Lars  
Mangipudi, Latha  
Murotake, David  
Peterson, Ken  
Ober, Russell  
Snow, Kendall  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Moffett, Howard  
Rogers, Katherine  
Wheeler, Deborah

Bartlett, Christy  
Long, Douglas  
Hirsch, Geoffrey  
Kuch, Bill  
Myler, Mel  
Saunderson, George

Bradley, Paula  
Gile, Mary  
Horn, Werner  
Luneau, David  
Patten, Dick  
Schuett, Dianne

Rice, Chip  
French, Harold  
Frazer, June  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Abramson, Max  
Cahill, Michael  
Cushing, Robert  
Edgar, Michael  
Heffron, Frank  
McBeath, Rebecca  
Sherman, Thomas

Barnes, Arthur  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Emerick, J. Tracy  
Itse, Daniel  
Gordon, Pamela  
Simpson, Alexis

Berrien, Skip  
Cardon, G. Thomas  
Doucette, Fred  
Francesse, Paula  
Lovejoy, Patricia  
Pantelakos, Laura  
Weyler, Kenneth

Borden, David  
Cook, Allen  
Duarte, Joe  
Ward, Gerald  
Manning, John  
Gordon, Richard

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Knowles, Robert  
Southworth, Thomas

Bickford, David  
Hannon, Joseph  
Leeman, Don  
Treleaven, Susan

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Wall, Janet

Burton, Wayne  
Ward, Kenneth  
Rollo, Deanna

**SULLIVAN**

Cloutier, John  
Grenier, James

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne  
Rollins, Skip

**NAYS - 119****BELKNAP**

Tilton, Franklin  
Spanos, Peter

Fields, Dennis  
Sylvia, Michael

Flanders, Donald  
Fraser, Valerie

Howard, Raymond

**CARROLL**

Avellani, Lino	Buco, Thomas	Chandler, Gene	Nelson, Bill
Schmidt, Stephen	Umberger, Karen		

**CHESHIRE**

Berch, Paul	Hunt, John	McConnell, James	Tatro, Bruce
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**COOS**

Froburg, Alethea	Tholl, John
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**GRAFTON**

Brown, Duane	Hull, Robert	Ingbretson, Paul	Nordgren, Sharon
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**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Balcom, John
Barry, Richard	Biggie, Barbara	Burt, John	Byron, Frank
Christensen, Chris	Coffey, James	Ferreira, Elizabeth	Fromuth, Bart
Gagne, Larry	Gargas, Carolyn	Gould, Linda	Haefner, Robert
Hansen, Peter	Hinch, Richard	Hogan, Edith	Belanger, James
Kurk, Neal	LeBrun, Donald	McLean, Mark	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Pierce, David	Rowe, Robert	Scotsas, Lisa
Shattuck, Gilman	Simmons, Tammy	Souza, Kathleen	Twombly, Timothy
Ulery, Jordan	Woodbury, David		

**MERRIMACK**

Brewster, Michael	McGuire, Carol	McGuire, Dan	Kenison, Linda
Kotowski, Frank	Marple, Richard	Martin, John	Seaworth, Brian
Walsh, Thomas			

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Azarian, Gary	Baldasaro, Alfred
Bates, David	Chirichiello, Brian	Thomas, Douglas	Devine, James
Chase, Francis	Rice, Frederick	Gannon, William	Green, Dennis
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Griffin, Mary	Major, Norman	Matthews, Carolyn	Milz, David
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Schroadtter, Adam	Sytek, John	True, Chris
Webb, James	Woitkun, Steven		

**STRAFFORD**

Berube, Roger	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Jones, Laura	Kaczynski, Thomas
Kaen, Naida	Turcotte, Leonard	Smith, Marjorie	Mullen, John
Verschueren, James	Wuelper, Kurt		

**SULLIVAN**

Laware, Thomas  
and the motion failed lacking the necessary two-thirds vote.

**MOTION TO LAY ON THE TABLE**

Rep. Ulery moved that **SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution, be laid on the table.

Motion adopted.

**MOTION TO REMOVE FROM THE TABLE**

Rep. Ulery moved that **SCR 4**, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government, be removed from the table.

Rep. Groen requested a roll call; sufficiently seconded.

**YEAS 80 - NAYS 211****YEAS - 80****BELKNAP**

Aldrich, Glen	Tilton, Franklin	Gallagher, Brian	Howard, Raymond
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**CARROLL**

Avellani, Lino	McCarthy, Frank
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**CHESHIRE**

Tilton, Benjamin	Johnsen, Gladys	Roberts, Kris	Mann, John
Pearson, William	Phillips, Larry	Shepardson, Marjorie	

**COOS**

Rideout, Leon	Theberge, Robert
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**GRAFTON**

Darrow, Stephen	Johnson, Eric	Massimilla, Linda	Brown, Rebecca
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**HILLSBOROUGH**

Balcom, John	Burt, John	Byron, Frank	Roberts, Carol
Cohen, Alan	Sullivan, Daniel	Danielson, David	Eastman, Eric
Edwards, Elizabeth	Gonzalez, Carlos	Gorman, Mary	Ober, Lynne
Leishman, Peter	Marston, Dick	McLean, Mark	Murotake, David
Murphy, Keith	McCarthy, Peggy	Proulx, Mark	Christie, Rick
Ober, Russell	Rouillard, Claire	Scotsas, Lisa	Simmons, Tammy
Ulery, Jordan	Sullivan, Victoria	Wolf, Terry	Zaricki, Nick

**MERRIMACK**

Alicea, Caroletta	French, Barbara	Long, Douglas	McGuire, Dan
French, Harold	Horn, Werner	Patten, Dick	Seaworth, Brian

**ROCKINGHAM**

Abramson, Max	Barnes, Arthur	Duarte, Joe	Green, Dennis
Guthrie, Joseph	Harris, Jeffrey	Itse, Daniel	Lovejoy, Patricia
Pantelakos, Laura	Prudhomme-O'Brien, Katherine	Gordon, Richard	Schroadter, Adam
True, Chris			

**STRAFFORD**

Bickford, David	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Leeman, Don	Southworth, Thomas		

**SULLIVAN**

Cloutier, John	Converse, Larry	Grenier, James	Irwin, Virginia
Laware, Thomas	Rollins, Skip		

**NAYS - 211****BELKNAP**

Dumais, Russell	Fields, Dennis	Flanders, Donald	Spanos, Peter
Sylvia, Michael	Fraser, Valerie		

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
McConnell, James  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Weber, Lucy

Berch, Paul  
Hunt, John  
Robertson, Timothy

Bordenet, John  
Ley, Douglas  
Sad, Tara

**COOS**

Fothergill, John  
Tholl, John

Frobург, Alethea

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Hull, Robert  
Maes, Kevin  
Sykes, George

Almy, Susan  
Ford, Susan  
Ingbreton, Paul  
Nordgren, Sharon

Bennett, Travis  
Gionet, Edmond  
Ladd, Rick  
Piper, Wendy

Brown, Duane  
Higgins, Patricia  
Hennessey, Martha  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Bouldin, Amanda  
Estevez, Eric  
Freitas, Mary  
Gould, Linda  
Hansen, Peter  
Hinch, Richard  
Jack, Martin  
O'Brien, Michael  
Notter, Jeanine  
Palmer, Barry  
Pierce, David  
Shattuck, Gilman  
Souza, Kathleen

Ammon, Keith  
Beaulieu, Jane  
Christensen, Chris  
Ferreira, Elizabeth  
Fromuth, Bart  
Guerette, C. Lee  
Harvey, Suzanne  
Hogan, Edith  
Kurk, Neal  
Mangipudi, Latha  
Ohm, Bill  
Parison, James  
Porter, Marjorie  
Shaw, Barbara  
Twombly, Timothy

Griffin, Barbara  
Biggie, Barbara  
Coffey, James  
Flanagan, Jack  
Gagne, Larry  
Haefner, Robert  
Heath, Mary  
Hopper, Gary  
Christiansen, Lars  
Manley, Jonathan  
Brown, Pamela  
Pellegrino, Anthony  
Walsh, Robert  
Snow, Kendall  
Williams, Kermit

Backus, Robert  
Boehm, Ralph  
Cote, David  
Forest, Armand  
Gargas, Carolyn  
Hansberry, Daniel  
Herbert, Christopher  
Belanger, James  
LeBrun, Donald  
McClarren, Donald  
Long, Patrick  
Peterson, Ken  
Rowe, Robert  
Soucy, Timothy  
Woodbury, David

**MERRIMACK**

Bartlett, Christy  
Rice, Chip  
Hirsch, Geoffrey  
Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Shurtleff, Stephen

Bradley, Paula  
Carson, Clyde  
Frazer, June  
Kuch, Bill  
Martin, John  
Rogers, Katherine  
Walsh, Thomas

Brewster, Michael  
Gile, Mary  
Karrick, David  
Luneau, David  
Moffett, Howard  
Saunderson, George  
Wheeler, Deborah

McGuire, Carol  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Myler, Mel  
Schuett, Dianne

**ROCKINGHAM**

Christie, Andrew  
Bates, David  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Doucette, Fred  
Rice, Frederick  
Heffron, Frank  
Kappler, Lawrence  
Major, Norman

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Thomas, Douglas  
Edgar, Michael  
Francese, Paula  
Hodgdon, Bruce  
Katsakiores, Phyllis  
Manning, John

Azarian, Gary  
Borden, David  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Ward, Gerald  
Hoelzel, Kathleen  
Kolodziej, Walter  
Matthews, Carolyn

Baldasaro, Alfred  
Cahill, Michael  
Cook, Allen  
DiFranco, Debbie  
Chase, Francis  
Gannon, William  
Introne, Robert  
Griffin, Mary  
McBeath, Rebecca

Milz, David  
 Peckham, Michele  
 Sytek, John

Osborne, Jason  
 Potucek, John  
 Webb, James

Gordon, Pamela  
 Sherman, Thomas  
 Weyler, Kenneth

Packard, Sherman  
 Simpson, Alexis  
 Woitkun, Steven

### STRAFFORD

Baber, William  
 Cheney, Catherine  
 Horrigan, Timothy  
 Knowles, Robert  
 Schmidt, Peter  
 Wall, Janet

Berube, Roger  
 Cilley, Jacalyn  
 Jones, Laura  
 Turcotte, Leonard  
 Rollo, Deanna  
 Wuelper, Kurt

Bixby, Peter  
 Graham, Robert  
 Kaczynski, Thomas  
 Smith, Marjorie  
 Treleaven, Susan

Burton, Wayne  
 Gray, James  
 Kaen, Naida  
 Mullen, John  
 Verschueren, James

### SULLIVAN

Gagnon, Raymond  
 and the motion failed.

Gottling, Suzanne

Oxenham, Lee

### SENATE MESSAGE

#### NONCONCURS WITH AMENDMENTS

#### REQUESTS COMMITTEE OF CONFERENCE

**SB 66**, naming the lobby of the legislative office building after former speaker of the house George Roberts.

The President appointed Sens. Carson, Bradley and D'Allesandro.

Rep. Packard moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Packard, Hinch, Russell Ober and Shurtleff.

**SB 239-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax.

The President appointed Sens. Bradley, Sanborn and D'Allesandro.

Rep. Major moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Major, Abrami, Gallagher and Lovejoy.

**SB 301**, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

The President appointed Sens. Bradley, Little and D'Allesandro.

Rep. Hunt moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Hinch, Packard and Abel.

**SB 305**, relative to the brew pub license.

The President appointed Sens. Prescott, Bradley and Pierce.

Rep. Hunt moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Abel and Hurt.

**SB 310**, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.

The President appointed Sens. Carson, Cataldo and Soucy.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Andrew Christie, Sytek, Hansen and Stephen Schmidt.

**SB 315**, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

The President appointed Sens. Carson, Cataldo and D'Allesandro.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Sytek, Hansen, Proulx and Cilley.

**SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

The President appointed Sens. Carson, Reagan and Soucy.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Sytek, Goley, Umberger and Andrew Christie.

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

The President appointed Sens. Reagan, Avard and Woodburn.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Andrew Christie, Cilley, McConnell and Chris Christensen.

**SB 342-FN**, relative to the sale or exchange of an interest in a business organization under the business profits tax.

The President appointed Sens. Boutin, Bradley and D'Allesandro.

Rep. Major moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Major, Abrami, Lovejoy and Lachance.

**SB 384**, relative to the feeding of wild deer.

The President appointed Sens. Little, Sanborn and Feltes.

Rep. Webb moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kidder, Webb, Spillane and Vann.

**SB 391**, relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.

The President appointed Sens. Carson, Forrester and Lasky.

Rep. Tholl moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Tholl, Martin, DiSesa and Parker.

**SB 402**, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

The President appointed Sens. Carson, Daniels and Lasky.

Rep. Rowe moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Rouillard, McLean, Hopper and Woodbury.

**SB 409-FN**, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

The President appointed Sens. Prescott, Cataldo and Soucy.

Rep. Flanagan moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Infantine, Murphy, White and Umberger.

**SB 411**, relative to the merger of lots.

The President appointed Sens. Prescott, Cataldo and Watters.

Rep. Hunt moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Bates, Williams and Harold French.

**SB 441-FN**, relative to discounts and admission without charge at state parks.

The President appointed Sens. Stiles, Boutin and Woodburn.

Rep. Chris Christensen moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Chris Christensen, Mullen, Suzanne Smith and Major.



**SB 466-FN**, relative to the detention of youthful offenders at the youth development center. The President appointed Sens. Forrester, Little and D'Allesandro. Reps. Gargasz and Kurk moved that the House accede. Motion adopted.

The Speaker appointed Reps. Gargasz, Kurk, Barry and Berrien.

**SB 471-FN**, relative to parking for persons with disabilities. The President appointed Sens. Stiles, Birdsell and Watters. Rep. Thomas Walsh moved that the House accede. Motion adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Packard and Sykes.

**SB 4**, relative to eligibility to vote and relative to availability of voter information. The President appointed Sens. Birdsell, Bradley and Lasky. Rep. Hoelzel moved that the House accede. Motion adopted.

The Speaker appointed Reps. Hoelzel, Schroadter, Gray and Gannon.

**SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

The President appointed Sens. Forrester, Little and D'Allesandro.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kurk, Lynne Ober, Hinch and Rosenwald.

**SB 495-FN-A**, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, making appropriations to the department of administrative services, and relative to the definition of a cigar bar.

The President appointed Sens. Forrester, Little and D'Allesandro.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kurk, Lynne Ober, Hinch and Rosenwald.

**SB 496-FN**, relative to personal care attendant services.

The President appointed Sens. Sanborn, Avard and Fuller Clark.

Rep. Kotowski moved that the House accede.

Motion adopted.

The Speaker appointed Reps. McMahon, Sherman, MacKay and LeBrun.

**SB 498-FN**, relative to penalties for possession of certain controlled drugs.

The President appointed Sens. Carson, Forrester and Hosmer.

Rep. Tholl moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Welch, DiSesa, Barnes and Cushing.

**SB 522-FN-A**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program, and relative to forfeiture of property.

The President appointed Sens. Bradley, Forrester and Hosmer.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Lynne Ober, Dan McGuire, Rouillard and Leishman.

**SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

The President appointed Sens. Bradley, Sanborn and Soucy.

Rep. Kotowski moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kotowski, LeBrun, Freitas and Sherman.

**SB 527-FN-A**, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

The President appointed Sens. Forrester, Morse and D'Allesandro.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Umberger, Weyler, Kurk and Eaton.

**SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

The President appointed Sens. Bradley, Sanborn and Woodburn.

Reps. Kurk and Kotowski moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kotowski, Kurk, Snow and MacKay.

## SENATE MESSAGES

### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 636-FN**, relative to forfeiture of property; relative to the sale of premixed synthetic urine; establishing a grant program for high schools for heroin and opiate prevention education; and clarifying who may petition to adopt. (Amendment printed SJ 5/12/16)

Reps. Tholl and Kurk moved that the House nonconcur.

Rep. Tholl spoke in favor.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

### YEAS 209 - NAYS 77

#### YEAS - 209

##### BELKNAP

Dumais, Russell  
Sylvia, Michael

Fields, Dennis  
Fraser, Valerie

Flanders, Donald

Gallagher, Brian

##### CARROLL

Chandler, Gene  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

Nelson, Bill

##### CHESHIRE

Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Pearson, William  
Shepardson, Marjorie

Ames, Richard  
Emerson, Susan  
Mann, John  
Phillips, Larry  
Tatro, Bruce

Bordenet, John  
Johnsen, Gladys  
McConnell, James  
Robertson, Timothy  
Weber, Lucy

Chase, Cynthia  
Hunt, John  
Parkhurst, Henry  
Sad, Tara

##### COOS

Fothergill, John  
Tholl, John

Hatch, William

Moynihan, Wayne

Theberge, Robert

##### GRAFTON

Abel, Richard  
Ford, Susan  
Hennessey, Martha  
Piper, Wendy

Almy, Susan  
Gionet, Edmond  
Maes, Kevin  
Brown, Rebecca

Brown, Duane  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Hennessey, Erin  
Ladd, Rick  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara  
 Beaulieu, Jane  
 Coffey, James  
 Estevez, Eric  
 Freitas, Mary  
 Gorman, Mary  
 Harvey, Suzanne  
 Belanger, James  
 LeBrun, Donald  
 Manley, Jonathan  
 Murotake, David  
 McCarthy, Peggy  
 Pierce, David  
 Walsh, Robert  
 Shattuck, Gilman  
 Smith, Timothy  
 Williams, Kermit

Backus, Robert  
 Biggie, Barbara  
 Cohen, Alan  
 Ferreira, Elizabeth  
 Gagne, Larry  
 Guerette, C. Lee  
 Heath, Mary  
 Kurk, Neal  
 Leishman, Peter  
 Marston, Dick  
 Notter, Jeanine  
 Palmer, Barry  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Snow, Kendall  
 Twombly, Timothy  
 Wolf, Terry

Balcom, John  
 Christensen, Chris  
 Sullivan, Daniel  
 Flanagan, Jack  
 Gargas, Carolyn  
 Haefner, Robert  
 Hinch, Richard  
 Christiansen, Lars  
 O'Brien, Michael  
 McClarren, Donald  
 Ohm, Bill  
 Pellegrino, Anthony  
 Proulx, Mark  
 Rouillard, Claire  
 Soucy, Timothy  
 Ulery, Jordan  
 Woodbury, David

Barry, Richard  
 Roberts, Carol  
 Danielson, David  
 Forest, Armand  
 Gonzalez, Carlos  
 Hansen, Peter  
 Hogan, Edith  
 Ober, Lynne  
 Mangipudi, Latha  
 McLean, Mark  
 Brown, Pamela  
 Peterson, Ken  
 Ober, Russell  
 Rowe, Robert  
 Souza, Kathleen  
 Sullivan, Victoria

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 Kenison, Linda  
 MacKay, James  
 Saunderson, George  
 Walsh, Thomas

French, Barbara  
 Gile, Mary  
 Kotowski, Frank  
 Martin, John  
 Schuett, Dianne  
 Wheeler, Deborah

Bradley, Paula  
 Henle, Paul  
 Kuch, Bill  
 Patten, Dick  
 Seaworth, Brian

Rice, Chip  
 Hirsch, Geoffrey  
 Luneau, David  
 Ratzki, Mario  
 Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
 Berrien, Skip  
 Cardon, G. Thomas  
 Duarte, Joe  
 Rice, Frederick  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 Matthews, Carolyn  
 Peckham, Michele  
 Sytek, John

Abrami, Patrick  
 Borden, David  
 Chirichiello, Brian  
 Edgar, Michael  
 Ward, Gerald  
 Introne, Robert  
 Griffin, Mary  
 Milz, David  
 Potucek, John  
 Webb, James

Azarian, Gary  
 Cahill, Michael  
 Thomas, Douglas  
 Emerick, J. Tracy  
 Guthrie, Joseph  
 Katsakiores, Phyllis  
 Major, Norman  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Weyler, Kenneth

Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Devine, James  
 Chase, Francis  
 Heffron, Frank  
 Kolodziej, Walter  
 Manning, John  
 Pantelakos, Laura  
 Sherman, Thomas  
 Woitkun, Steven

**STRAFFORD**

Baber, William  
 Cheney, Catherine  
 Horrigan, Timothy  
 Smith, Marjorie  
 Sprague, Dale

Berube, Roger  
 Cilley, Jacalyn  
 Kaen, Naida  
 Mullen, John  
 Verschueren, James

Bickford, David  
 Graham, Robert  
 Knowles, Robert  
 Schmidt, Peter  
 Wall, Janet

Bixby, Peter  
 Gray, James  
 Leeman, Don  
 Southworth, Thomas  
 Wuelper, Kurt

**SULLIVAN**

Cloutier, John  
 Irwin, Virginia

Gagnon, Raymond  
 Laware, Thomas

Gottling, Suzanne  
 Oxenham, Lee

Grenier, James

**NAYS - 77****BELKNAP**

Aldrich, Glen

Tilton, Franklin

Spanos, Peter

**CARROLL**

Avellani, Lino

Buco, Thomas

McCarthy, Frank

**CHESHIRE**

Tilton, Benjamin	Berch, Paul
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**COOS**

Froburg, Alethea	Rideout, Leon
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**GRAFTON**

Bennett, Travis	Darrow, Stephen	Johnson, Eric	Hull, Robert
Ingbretson, Paul			

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Cote, David	Eastman, Eric
Edwards, Elizabeth	Fromuth, Bart	Gould, Linda	Hansberry, Daniel
Hopper, Gary	Jack, Martin	Murphy, Keith	Long, Patrick
Parison, James	Christie, Rick	Sanborn, Laurie	Scontsas, Lisa
Shaw, Barbara	Simmons, Tammy	Zaricki, Nick	

**MERRIMACK**

Bartlett, Christy	Brewster, Michael	McGuire, Carol	Long, Douglas
McGuire, Dan	Horn, Werner	Frazer, June	Karrick, David
Marple, Richard	Moffett, Howard	Rogers, Katherine	

**ROCKINGHAM**

Abramson, Max	Bates, David	Cook, Allen	Cushing, Robert
Francese, Paula	Gannon, William	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Sweeney, Joe	Kappler, Lawrence
Osborne, Jason	Gordon, Pamela	Gordon, Richard	Schroadter, Adam
True, Chris			

**STRAFFORD**

Burton, Wayne	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard	Rollo, Deanna
Treleaven, Susan			

**SULLIVAN**

Converse, Larry	Rollins, Skip
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and the motion was adopted.

Rep. Hurt did not vote and notified the Clerk that he wished to be recorded in favor.

**HB 1375**, relative to deliberative sessions in political subdivisions that have adopted official ballot voting. (Amendment printed SJ 5/12/16)

Rep. James Belanger moved that the House nonconcur, spoke in favor and yielded to questions.

Rep. Ammon spoke against.

On a division vote, with 204 members having voted in the affirmative, and 80 in the negative, the motion was adopted.

**HB 1237**, establishing a committee to study the establishment of a conflict management and resolution system for parents and children. (Amendment printed SJ 5/5/16)

Rep. Gargas moved that the House concur and spoke in favor.

Motion adopted.

**HB 1651**, relative to the duties of the commission to review child abuse fatalities. (Amendment printed SJ 5/5/16)

Rep. Gargas moved that the House concur and spoke in favor.

Motion adopted.

**HB 512**, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency. (Amendment printed SJ 5/12/16)

Rep. Tholl moved that the House concur and spoke in favor.

On a division vote, with 154 members having voted in the affirmative, and 115 in the negative, the motion was adopted.

**HB 1144-L**, relative to notice for sessions of correction of the check list. (Amendment printed SJ 5/12/16)  
Rep. Hoelzel moved that the House concur and spoke in favor.  
Motion adopted.

**HB 1246-FN**, relative to speech-language assistants. (Amendment printed SJ 4/21/16)  
Rep. Andrew Christie moved that the House concur and spoke in favor.  
Motion adopted.

**HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor, and relative to the revenue stabilization reserve account. (Amendment printed SJ 5/5/16)  
Reps. Andrew Christie and Kurk moved that the House concur.  
Rep. Andrew Christie spoke in favor.  
On a division vote, with 143 members having voted in the affirmative, and 121 in the negative, the motion was adopted.

**HB 1680-FN**, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. (Amendment printed SJ 5/12/16)  
Rep. Kotowski moved that the House concur and spoke in favor.  
Motion adopted.

**HB 1531**, permitting the legislature to open the state house on weekends. (Amendment printed SJ 4/21/16)  
Reps. Hinch and Kurk moved that the House concur.  
Rep. Hinch spoke in favor.  
Motion adopted.

**HB 430**, relative to allowing towns and cities to adopt a property tax credit which extends the current veterans' property tax credit to all honorably discharged veterans. (Amendment printed SJ 4/28/16)  
Rep. James Belanger moved that the House concur and spoke in favor and yielded to questions.  
Motion adopted.

**HB 1395**, relative to municipal electronic records. (Amendment printed SJ 5/12/16)  
Rep. James Belanger moved that the House concur and spoke in favor.  
Motion adopted.

**HB 1298**, relative to damage to private property and relative to the authority of federal border patrol agents to make arrests in Coos county. (Amendment printed SJ 5/5/16)  
Reps. Chris Christensen and Rowe moved that the House concur.  
Rep. Chandler spoke in favor and yielded to questions.  
Rep. Burt spoke against, yielded to questions and requested a roll call; sufficiently seconded.

## YEAS 199 - NAYS 87

### YEAS - 199

#### BELKNAP

Tilton, Franklin	Fields, Dennis	Flanders, Donald	Gallagher, Brian
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#### CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Hunt, John	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

**COOS**

Fothergill, John  
Rideout, Leon

Froburge, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Maes, Kevin  
Brown, Rebecca

Almy, Susan  
Gionet, Edmond  
Massimilla, Linda  
Smith, Suzanne

Bennett, Travis  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Hennessey, Erin  
Ladd, Rick  
Piper, Wendy

**HILLSBOROUGH**

Griffin, Barbara  
Barry, Richard  
Roberts, Carol  
Danielson, David  
Gargas, Carolyn  
Hansberry, Daniel  
Belanger, James  
Ober, Lynne  
Manley, Jonathan  
McCarthy, Peggy  
Pierce, David  
Rosenwald, Cindy  
Shaw, Barbara  
Smith, Timothy  
Woodbury, David

Backus, Robert  
Beaulieu, Jane  
Coffey, James  
Forest, Armand  
Gorman, Mary  
Harvey, Suzanne  
Jack, Martin  
Leishman, Peter  
Marston, Dick  
Palmer, Barry  
Porter, Marjorie  
Rowe, Robert  
Snow, Kendall  
Twombly, Timothy

Balcom, John  
Biggie, Barbara  
Cote, David  
Freitas, Mary  
Guerette, C. Lee  
Heath, Mary  
Kurk, Neal  
O'Brien, Michael  
McClarren, Donald  
Pellegrino, Anthony  
Proulx, Mark  
Scontsas, Lisa  
Soucy, Timothy  
Williams, Kermit

Baroody, Benjamin  
Christensen, Chris  
Sullivan, Daniel  
Gagne, Larry  
Haefner, Robert  
Hinch, Richard  
Christiansen, Lars  
Mangipudi, Latha  
Brown, Pamela  
Peterson, Ken  
Ober, Russell  
Shattuck, Gilman  
Souza, Kathleen  
Wolf, Terry

**MERRIMACK**

Alicea, Caroletta  
Rice, Chip  
Hirsch, Geoffrey  
Kotowski, Frank  
Moffett, Howard  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
Frazer, June  
Kuch, Bill  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Gile, Mary  
Karrick, David  
Luneau, David  
Rogers, Katherine  
Walsh, Thomas

Bradley, Paula  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew  
Borden, David  
Cushing, Robert  
Edgar, Michael  
Ward, Gerald  
Sweeney, Joe  
Griffin, Mary  
McBeath, Rebecca  
Pantelakos, Laura  
Sytek, John

Abrami, Patrick  
Cahill, Michael  
Devine, James  
Chase, Francis  
Heffron, Frank  
Katsakiores, Phyllis  
Major, Norman  
Milz, David  
Peckham, Michele  
Webb, James

Azarian, Gary  
Cali-Pitts, Jacqueline  
DiFranco, Debbie  
Rice, Frederick  
Hoelzel, Kathleen  
Kolodziej, Walter  
Manning, John  
Gordon, Pamela  
Potucek, John  
Weyler, Kenneth

Berrien, Skip  
Cardon, G. Thomas  
Doucette, Fred  
Francese, Paula  
Introne, Robert  
Lovejoy, Patricia  
Matthews, Carolyn  
Packard, Sherman  
Sherman, Thomas  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Bickford, David  
Gray, James  
Mullen, John  
Sprague, Dale

Bixby, Peter  
Horrigan, Timothy  
Schmidt, Peter  
Treleaven, Susan

Burton, Wayne  
Kaen, Naida  
Rollo, Deanna  
Verschueren, James

**SULLIVAN**

Cloutier, John  
Grenier, James

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

**NAYS - 87****BELKNAP**Aldrich, Glen  
Spanos, PeterDumais, Russell  
Fraser, Valerie

Howard, Raymond

Hurt, George

**CARROLL**

Cordelli, Glenn

**CHESHIRE**

Tilton, Benjamin

McConnell, James

**GRAFTON**Brown, Duane  
Ingbretson, Paul

Darrow, Stephen

Johnson, Eric

Hull, Robert

**HILLSBOROUGH**Adams, Christopher  
Burt, John  
Edwards, Elizabeth  
Fromuth, Bart  
Hogan, Edith  
Murphy, Keith  
Christie, Rick  
Ulery, JordanAmmon, Keith  
Byron, Frank  
Estevez, Eric  
Gonzalez, Carlos  
Hopper, Gary  
Notter, Jeanine  
Rouillard, Claire  
Sullivan, VictoriaBoehm, Ralph  
Cohen, Alan  
Ferreira, Elizabeth  
Gould, Linda  
LeBrun, Donald  
Ohm, Bill  
Sanborn, Laurie  
Zaricki, NickBouldin, Amanda  
Eastman, Eric  
Flanagan, Jack  
Hansen, Peter  
McLean, Mark  
Parison, James  
Simmons, Tammy**MERRIMACK**Brewster, Michael  
French, Harold  
Seaworth, BrianMcGuire, Carol  
Horn, WernerLong, Douglas  
Marple, RichardMcGuire, Dan  
Martin, John**ROCKINGHAM**Abramson, Max  
Cook, Allen  
Gannon, William  
Hodgdon, Bruce  
Prudhomme-O'Brien, KatherineBaldasaro, Alfred  
Thomas, Douglas  
Green, Dennis  
Itse, Daniel  
Gordon, RichardBates, David  
Duarte, Joe  
Guthrie, Joseph  
Kappler, Lawrence  
Schroadter, AdamChirichiello, Brian  
Emerick, J. Tracy  
Harris, Jeffrey  
Osborne, Jason  
True, Chris**STRAFFORD**Cheney, Catherine  
Hannon, Joseph  
Turcotte, LeonardDeLemus, Susan  
Jones, Laura  
Leeman, DonGraham, Robert  
Kaczynski, Thomas  
Wuelper, KurtGroen, Warren  
Knowles, Robert**SULLIVAN**

Irwin, Virginia

Laware, Thomas

and the motion was adopted.

**HB 1461**, relative to the definition of and criteria for protection instream flow. (Amendment printed SJ 5/12/16)Rep. Chris Christensen moved that the House concur and spoke in favor.  
Motion adopted.**HB 1595-FN**, relative to the rivers management and protection program. (Amendment printed SJ 5/12/16)Rep. Chris Christensen moved that the House concur and spoke in favor.  
Motion adopted.**HB 297**, protecting individual customer data from disclosure by a public utility. (Amendment printed SJ 5/12/16)Rep. Introne moved that the House concur and spoke in favor.  
Motion adopted.

**HB 1186**, relative to coasting of vehicles. (Amendment printed SJ 5/5/16)  
Rep. Thomas Walsh moved that the House concur and spoke in favor.  
Motion adopted.

**HB 1271**, making certain length and width exemptions concerning commercial vehicles and relative to signs advising motorists approaching emergency vehicles in the breakdown lane. (Amendment printed SJ 5/12/16)  
Rep. Thomas Walsh moved that the House concur and spoke in favor.  
Motion adopted.

**HB 1430-FN**, relative to operation of compact utility tractors. (Amendment printed SJ 5/5/16)  
Rep. Thomas Walsh moved that the House concur and spoke in favor.  
Motion adopted.

### ADJOURN FROM THE EARLY SESSION

RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time and when the House adjourns today it be to meet Wednesday, June 1, 2016 at 10:00 a.m.  
Motion adopted.

### UNANIMOUS CONSENT

Rep. Burt requested Unanimous Consent of the House regarding Hot Dog Day and addressed the House.  
Rep. Cushing requested Unanimous Consent of the House regarding Marilla Ricker and addressed the House.  
Rep. Ohm requested Unanimous Consent of the House regarding Andrew Jackson and addressed the House.  
Rep. Pamela Brown requested Unanimous Consent of the House regarding Lyme Disease Awareness Month and addressed the House.

### MOTION TO PRINT REMARKS

Rep. Kurk moved that the remarks made by Rep. Cushing during Unanimous Consent be printed in the Permanent Journal.  
Without objection, the Speaker ordered.

### REMARKS

**Representative Cushing:** Thank you, Mr. Speaker. I just want to say a few remarks about my most favorite Republican of all time. That would be Marilla Marks (Young) Ricker. It was 147 years ago this week that there was a gathering in New York City that was called by Elizabeth Cady Stanton and Susan B. Anthony. The purpose of that meeting was to found what was the National Woman Suffrage Association and that was the organization that for the next 50 years pressed across this country to gain the franchise the right to vote for women. One of the people who was at that meeting, the person who attended on behalf of New Hampshire, was a woman named Marilla Marks (Young) Ricker. She was born in New Durham, was educated at Colby Sawyer College and went on to become an elementary school teacher. In 1869, when she was at that meeting, she was 29 years old. She came back to her homestead in Dover and kind of began her own personal campaign to gain the franchise for women. She sent a letter to the selectmen of the Town of Dover in 1870 that said, "I come before you to declare that my sex is entitled to the inalienable right to life, liberty and the pursuit of happiness. I ask the right to pursue happiness by having a voice in that government to which I am accountable. Our form of government is supposed to emanate from the people and whatever control it possesses over the people, it is supposed to be exercised by and with their consent. I, and others of my sex, find ourselves controlled by a form of government, in the inauguration of which, we had no voice and in whose administration we are denied the right to participate, though we are a large part of the people of this country. So long as women are hanged under the laws, they should have a voice in making them." She had to pay property taxes, like everybody else, and when she went to the town clerk that year in 1870, she presented a little letter that said, "Taxation without representation is tyranny. I hereby protest against the injustice of being compelled to pay taxes without having a vote to protect my property. If taxation without representation was tyranny before the revolutionary way, it is tyranny today. I shall protest against paying taxes so long as I have no voice in making the laws." For the next 50 years, every time Marilla Marks Ricker paid her property



tax, she presented that protest to the officials of the Town of Dover. Marilla went on to have a more expansive life. She was the 9<sup>th</sup> woman to be admitted to practice before the United States Supreme Court. She was the first woman from New Hampshire to be recognized as a lawyer. In a seminal case in 1890, she brought a suit against the New Hampshire Bar Association, against the State of New Hampshire, because she was not allowed to practice law because of her gender. In a real famous case that's called the Petition of Ricker, the New Hampshire Supreme Court decided that actually being a woman was not a bar to being able to practice law in the state. She opened the door for every woman who practices law in the State of New Hampshire to pursue that profession. She also was the first person, in 1870; she decided that she wanted to vote. She showed up on Election Day and asked for a ballot, was given a ballot, cast the ballot, but the ballot was not counted. But, what that action was, Marilla Ricker was the first woman in the United States to cast a vote. She was the first person to run for Congress in the State of New Hampshire, the first woman to run for Congress. She was the first woman in the country to apply to be an Ambassador, a US Ambassador and in 1910; she decided that she was about ready to run for Governor of the State of New Hampshire. She came and she applied to the Secretary of State's office, paid her \$100, but the then Secretary of State refused to accept her request to be placed upon the ballot. She did, however, gain 4 votes and those are the first votes that are recorded as a vote for women in the State of New Hampshire for Governor. She lived long enough to see the 19<sup>th</sup> Amendment passed and to see women be granted the right to vote. Kind of a cap on to a 50-year campaign. Now, as we live in a state where we've had the experience of women running the state, they are all in a sense really daughters of Marilla Ricker. Last Monday, there was a portrait that was unveiled in the entranceway by where the Governor comes into the State House. It was a portrait of Marilla Ricker. It was done recently and 19 years ago, this House and the Senate, passed a resolution calling for a portrait to be hung there so that when every fourth grader and every other person who comes into this State House can see a woman whose pioneering efforts helped elevate all of us, helped to make it possible to have a more perfect democracy. I just want to stand here and say on behalf of myself, say on behalf of everybody, to Marilla Ricker, "Welcome to the State House. It's good to have you here." Thank you.

### **MOTION TO PRINT REMARKS**

Rep. Dan McGuire moved that the remarks made by Rep. Ohm during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

### **REMARKS**

**Representative Ohm:** Thank you, Mr. Speaker. Since the founding of our great republic, there has been constant debate about how to interpret the constitution. For guidance, I would like to quote the remarks of President Andrew Jackson's veto message to Congress on July 10, 1832. "The Congress, Executive and the Court must each for itself be guided by its own interpretation, its own opinion of the constitution. Each public officer who takes an oath to support the constitution swears that he will support it as he understands it and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is with the supreme judges where it might be brought to them for judicial decisions. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges. In that point, the President is independent of both. The authority of the Supreme Court must not therefore be permitted to control the Congress or the Executive when acting in their legislative capacities but have only such influence as the force of their reasoning may deserve." Mister Speaker, I submit that the same principles apply to this body today just as it did to Congress in President Jackson's time. Thank you, Mister Speaker.

### **RECESS MOTION**

Rep. Hoelzel moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Motion adopted.

The House recessed at 3:25 p.m.

### **RECESS**

(Speaker Jasper in the Chair)

## ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 645, 1138, 1147, 1148, 1161, 1198, 1267, 1268, 1269, 1305, 1353, 1391, 1415, 1426, 1453, 1468, 1482, 1490, 1624, 1628 and 1664 and Senate Bills numbered 59, 306, 308, 381, 394, 403, 416, 420, 423, 436, 452, 468, 477, 478, 494, 509, 510, 512, 534, 536, 538 and 550.

Rep. Hinch, Sen. Prescott for the Committee

## SENATE MESSAGE

### ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

**HB 114**, establishing beer specialty licenses and relative to rectifiers.  
The President appointed Sens. Prescott, Stiles and Soucy.

**HB 280**, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans.  
The President appointed Sens. Daniels, Birdsell and Feltes.

**HB 533**, relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules.  
The President appointed Sens. Reagan, Daniels and Soucy.

**HB 602-FN**, relative to the use of drones.  
The President appointed Sens. Carson, Daniels and Lasky.

**HB 605-FN**, relative to mandatory minimum sentences.  
The President appointed Sens. Carson, Daniels and Lasky.

**HB 668-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax.  
The President appointed Sens. Bradley, Sanborn and D'Allesandro.

**HB 1182-FN**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.  
The President appointed Sens. Bradley, Forrester and Hosmer.

**HB 1193**, relative to the wellness and primary prevention council and relative to certification of school nurses.  
The President appointed Sens. Carson, Cataldo and Woodburn.

**HB 1227**, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.  
The President appointed Sens. Bradley, Little and D'Allesandro.

**HB 1301**, relative to the issuance of youth employment certificates.  
The President appointed Sens. Reagan, Cataldo and Soucy.

**HB 1307**, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.  
The President appointed Sens. Prescott, Birdsell and Pierce.

**HB 1339**, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.  
The President appointed Sens. Bradley, Prescott and Pierce.

**HB 1377**, relative to receipt of absentee ballots.  
The President appointed Sens. Birdsell, Stiles and Lasky.

**HB 1396**, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.  
The President appointed Sens. Stiles, Daniels and Feltes.

**HB 1404-FN**, relative to certain positions in the insurance department.  
The President appointed Sens. Reagan, Cataldo and Soucy.

**HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed waste-water projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program.  
The President appointed Sens. Forrester, Morse and D'Allesandro.

**HB 1503**, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.

The President appointed Sens. Forrester, Little and D'Allesandro.

**HB 1547-FN**, prohibiting bestiality.

The President appointed Sens. Carson, Daniels and Pierce.

**HB 1584-FN**, relative to body-worn cameras for law enforcement officers.

The President appointed Sens. Carson, Daniels and Lasky.

**HB 1590-FN-A-L**, relative of taxation of short-term rentals.

The President appointed Sens. Sanborn, Hosmer and Little.

**HB 1637-FN**, relative to school attendance in towns with no public schools.

The President appointed Sens. Bradley, Reagan and Watters.

**HB 1656-FN**, relative to exceptions to the real estate transfer tax.

The President appointed Sens. Boutin, Sanborn and D'Allesandro.

**HB 1660-FN-L**, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

The President appointed Sens. Bradley, Avard and Feltes.

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation.

The President appointed Sens. Prescott, Daniels and Pierce.

**HB 1695-FN**, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports.

The President appointed Sens. Boutin, Sanborn and Fuller Clark.

**HB 1697-FN**, relative to the operation and insurance of transportation network companies.

The President appointed Sens. Stiles, Little and Soucy.

**HB 2016**, relative to the state 10-year transportation improvement program.

The President appointed Sens. Stiles, Daniels and Watters.

## **REFUSES TO ACCEDE TO REQUEST FOR COMMITTEE OF CONFERENCE**

**HB 1385-FN-A**, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

## **RECESS**

**(Speaker Jasper in the Chair)**

## **ENROLLED BILL AMENDMENT**

**SB 467-FN**, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. (Amendment printed SJ 5/19/16)  
Motion adopted.

## SENATE MESSAGES

### CONCURRENCE

**SB 127-FN**, relative to the appointment of special Medicaid representatives.

**SB 210-FN**, relative to regulation of septic system evaluators.

**SB 300**, revising banking, credit union, and trust laws.

**SB 329**, revising the nurse licensure compact.

**SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver.

**SB 339-FN**, relative to required DNA analysis for certain offenses.

**SB 361**, banning the sale and possession of synthetic urine and urine additives.

**SB 363**, relative to OHRVs and snowmobiles held by a trust.

**SB 364**, establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

**SB 379**, relative to additional tests to determine alcohol concentration.

**SB 383**, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network.

**SB 387**, relative to the disposition of ward accounts.

**SB 405**, making changes to the limited liability companies statutes.

**SB 406-FN**, relative to classification of certain state employee positions and relative to the liquor commission.

**SB 418**, adding National Guard members to the absentee voting laws and relative to enrollment of laws.

**SB 419-FN**, relative to certain changes in the law governing the therapeutic use of cannabis.

**SB 424-FN**, relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor.

**SB 429**, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs.

**SB 431**, relative to data submission by insurers.

**SB 437**, establishing a commission to address child hunger in New Hampshire.

**SB 438**, relative to the aesthetic maintenance of highways.

**SB 440-FN**, extending the date of the repeal of certain fees in the shoreland protection act.

**SB 444-FN**, relative to lottery retailer incentive awards.

**SB 458-FN**, relative to reporting by political committees and relative to agreements to share voter information with other states.

**SB 464-FN-A**, establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account.

**SB 480-FN-A**, relative to the historical fund.

**SB 482-FN-L**, establishing a committee to study the effect of short-term rentals on municipalities.

**SB 483-FN**, establishing the position of chartered public school program officer in the department of education.

**SB 487**, relative to missing vulnerable adults.

**SB 489**, authorizing a demonstration project using a Stirling engine system.

**SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants.

**SB 515-FN**, relative to the child protection act.

**SB 521-FN**, relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

**SB 530-FN**, establishing a commission to study volunteer health care services.

**SB 532-FN**, relative to prior authorization for substance use treatment.

**SB 549-FN** relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission.

**SB 553**, relative to implementation of the Medicaid managed care program.

**NONCONCURRENCE**

**SB 449**, relative to weekly payment of workers' compensation benefits.

**RECESS**

(Rep. Suzanne Smith in the Chair)

**ENROLLED BILL AMENDMENTS**

**HB 356**, establishing a commission to study cryptocurrency regulation.

**Amendment 2016-1987EBA**

Amend RSA 399-G:25, II(a) as inserted by section 1 of the bill by replacing lines 2 and 3 with the following:

appointed by the speaker of the house of representatives, one member from the commerce and consumer affairs committee appointed by the chairperson of the commerce and consumer affairs committee, and one member of the ways

Amend RSA 399-G:25, II(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The director of the bureau of securities regulation, or designee.

Motion adopted.

**HB 500**, repealing the prohibition on the use of silencing devices for taking wildlife.

**Amendment 2016-1992EBA**

Amend section 1 of the bill by replacing it with the following:

1 Title. This act shall be known as the "Hunters Hearing Protection Act."

Motion adopted.

**HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

**Amendment 2016-1990EBA**

Amend RSA 162-R:1 as inserted by section 2 of the bill by replacing line 1 with the following:

162-R:1 Definitions. In this chapter:

Amend RSA 162-R:3, II as inserted by section 2 of the bill by replacing line 1 with the following:

II. The site evaluation committee shall determine whether the application is complete, and shall proceed to

Motion adopted.

**HB 1105**, establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors.

**Amendment 2016-1991EBA**

Amend section 4 of the bill by replacing line 1 with the following:

4 Chairperson. The members of the study committee shall elect a chairperson from

Motion adopted.

**HB 1204**, relative to payment of rent pending the stay of an eviction proceeding.

**Amendment 2016-2000EBA**

Amend RSA 540:13-c, II(b) as inserted by section 1 of the bill by replacing line 2 with the following:

*of the date that the final payment under the agreement established under this paragraph is*

Motion adopted.

**HB 1210**, relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions.

**Amendment 2016-2004EBA**

Amend section 8 of the bill by replacing lines 2-3 with the following:

RSA 541-A within 180 days of the effective date of this act to implement the authority established in RSA 420-J:7-b, X and RSA 415:26 of this act.

Motion adopted.

**HB 1293**, relative to the procedure for charter amendments.

**Amendment 2016-1980EBA**

Amend RSA 49-B:5, I as inserted by section 1 of the bill by replacing line 2 with the following: charter are necessary and *shall*, by order, provide for notice and hearing on them ~~in the same~~  
Amend the introductory paragraph of RSA 49-B:5, II as inserted by section 2 of the bill by replacing line 4 with the following:  
municipal charter be placed on a ballot in accordance with the procedures set out ~~below~~ *in paragraphs*  
Motion adopted.

**HB 1303**, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

**Amendment 2016-1995EBA**

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. Section 2 of this act shall take effect November 1, 2017.

Motion adopted.

**HB 1589-FN**, prohibiting the transport of aquatic plants and aquatic weeds.

**Amendment 2016-2006EBA**

Amend RSA 487:16-d, I as inserted by section 4 of the bill by replacing line 1 with the following:

I. When leaving waters of the state, a person shall drain his or her boat and other water-related

Motion adopted.

**RECESS**

**(Speaker Jasper in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 466, 582, 659, 1212, 1264, 1357, 1486 and 1588 and Senate Bills numbered 341, 368, 375 and 544.

Rep. Hinch, Sen. Prescott for the Committee

**HB 1354**, establishing a committee to study livestock and meat inspection.

**Amendment 2016-1984EBA**

Amend section 4 of the bill by replacing line 1 with the following:

4 Chairperson; Meetings. The members of the study committee shall elect a chairperson from

Motion adopted.

**SB 376-FN**, relative to wildlife corridors. (Amendment printed SJ 5/19/16)

Motion adopted.

**SB 439**, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Amendment printed SJ 5/19/16)  
Motion adopted.

**SB 481-FN**, relative to a special health care service license and making an appropriation therefor. (Amendment printed SJ 5/19/16)

Motion adopted.

**SB 488-FN-L**, establishing an advisory council on lactation. (Amendment printed SJ 5/19/16)

Motion adopted.

**SB 450**, relative to investments by insurance companies. (Amendment printed SJ 5/19/16)

Motion adopted.

**SB 500-FN**, relative to student health insurance plans. (Amendment printed SJ 5/19/16)

Motion adopted.

**RECESS**

**(Rep. Packard in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 356, 1172, 1237, 1354, 1423, 1680 and 1681 and Senate Bills numbered 417, 418, 467, 481, 489, 539 and 553.

Rep. Hinch, Sen. Prescott for the Committee

**RECESS****(Speaker Jasper in the Chair)****ENROLLED BILL AMENDMENT**

**SB 345**, relative to the definition of agritourism. (Amendment printed SJ 6/1/16)  
Motion adopted.

**CONFEREE CHANGES**

**HB 114**, establishing beer specialty licenses and relative to rectifiers.  
Rep. Hurt replaced Rep. Tucker.  
Rep. Williams replaced Rep. Abel.

**HB 285**, relative to discussion with legal counsel under the right-to-know law.  
Rep. Hagan replaced Rep. Rowe.

**HB 533**, relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules.  
Rep. Daniel Sullivan replaced Rep. Gagnon.  
Rep. Proulx replaced Rep. Parker.

**HB 602-FN**, relative to the use of drones.  
Rep. Hansberry replaced Rep. Parker.  
Rep. Gagnon replaced Rep. Hansberry.

**HB 606-FN-L**, relative to costs for public records filed electronically.  
Rep. Hagan replaced Rep. Rowe.

**HB 1227**, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.  
Reps. Hinch and Packard replaced Reps. Tucker and Biggie.

**HB 1301**, relative to the issuance of youth employment certificates.  
Rep. Murphy replaced Rep. Flanagan.  
Rep. Simpson replaced Rep. Ley.

**HB 1396**, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.  
Rep. Sykes replaced Rep. Soucy.

**HB 1503**, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.  
Rep. Ames replaced Rep. Rosenwald.  
Rep. Lovejoy replaced Rep. Ames.  
Rep. Major replaced Rep. Lovejoy.

**HB 1656-FN**, relative to exceptions to the real estate transfer tax.  
Rep. Major replaced Rep. Hess.

**HB 1660-FN-L**, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.  
Rep. Baber replaced Rep. Wall.  
Rep. Packard replaced Rep. Baber.

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation.  
Rep. Kotowski replaced Rep. LeBrun.  
Rep. Weber replaced Rep. MacKay.

**HB 1697-FN**, relative to the operation and insurance of transportation network companies.  
Rep. Sykes replaced Rep. Packard.

**SB 66**, naming the lobby of the legislative office building after former speaker of the house George Roberts.  
Rep. Weber replaced Rep. Shurtleff.

**SB 203-FN**, relative to review of eligibility for workers' compensation.  
Rep. Packard replaced Rep. Simmons.  
Rep. Chandler replaced Rep. Seaworth.  
Rep. Hinch replaced Rep. Infantine.

**SB 305**, relative to the brew pub license.  
Rep. Williams replaced Rep. Abel.

**SB 310**, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.  
Rep. Peter Schmidt replaced Rep. Stephen Schmidt.

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.  
Rep. Potucek replaced Rep. Cilley.  
Rep. Matthews replaced Rep. Andrew Christie.  
Rep. McConnell replaced Rep. Suzanne Smith.  
Rep. Suzanne Smith replaced Rep. McConnell.

**SB 391**, relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.  
Rep. Hirsch replaced Rep. DiSesa.

**SB 402**, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.  
Rep. Rowe replaced Rep. Hopper.

**SB 409-FN**, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.  
Rep. Seaworth replaced Rep. Infantine.

**SB 471-FN**, relative to parking for persons with disabilities.  
Rep. Ford replaced Rep. Sykes.

**SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.  
Rep. Chandler replaced Rep. Rosenwald.

**SB 496-FN**, relative to personal care attendant services.  
Rep. Weber replaced Rep. MacKay.

**SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.  
Rep. Snow replaced Rep. Sherman.

## RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.  
Motion adopted.



**HOUSE JOURNAL NO. 15**

Wednesday, June 1, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. God of many names but one light, You give us the light of life in countless ways. You bathe us in sunlight and You brighten our nighttime path with moonbeams. The stars You scattered in the heavens astound us with their number, their intensity, and the patterns they create. As we stand on the brink of summer, ready to welcome the long, hot days, inspire us to notice Your gift of light in all its forms: darting fireflies in the dusk; fireworks that explode and cascade through the July sky; campfires reflecting in the faces of friends and loved ones; and brilliant zigzags of lightening that herald a storm. Today, as we grieve with our sister Representative, Rebecca Brown and the loss of her husband, Harry, we also give You thanks for brightening our lives with the presence of loved ones and warming our hearts with memories of those who have gone before us. And now as we enter summer's slower pace, as time and space opens up in our busy lives, help us to appreciate Your many gifts of light. Open our eyes and our hearts to dazzling smiles that speak of pure joy; enlighten our minds with new discoveries and ideas; and inspire us to be a guiding, comforting, life-giving light to others - so that, together, we can set the world on fire with the flame of Your love. Amen.

Representative Hill, member from Northfield, led the Pledge of Allegiance.

The member from Windham, Representative Mary Griffin, led the singing of the National Anthem.

**LEAVES OF ABSENCE**

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Bush, Comtois, Cornell, Kellogg, Priestley, Rappaport and Sanders, the day, illness.

Reps. Baldasaro, Francis Chase, Coffey, Fisher, Hansen, Hodgdon, Kolodziej, O'Neil, Oigny, Scontsas, Timothy Smith, Spillane, Daniel Sullivan, Victoria Sullivan and Tamburello, the day, important business.

Rep. Tucker, the day, illness in the family.

Rep. Rebecca Brown, the day, death in the family.

**INTRODUCTION OF GUESTS**

Grant Compitello, student from Bedford, Page for the day.

Jim McCoole, guest of Rep. Sylvia. Theresa Swanick, guest of Rep. Rosenwald. Eric Merklein, husband of Rep. Sad. Terri Kappler, wife of Rep. Kappler. Dale and Jacob McConkey, sons of Rep. McConkey. Michael, Olivia, and Johan French, son and grandchildren of Rep. Barbara French. Students from Mountain Shadows School, guests of Reps. Ley, Sterling and Ames. Students from Merrimack Middle School, guests of the Merrimack Delegation. Polly Campion and Mary Jane Mulligan, guests of Reps. Nordgren, Higgins and Hennessey.

**COMMUNICATION**

Timothy Soucy  
33 Gillis Street  
Nashua, NH 03060  
May 25, 2016

Dear Mr. Speaker:

Due to my impending relocation to the City of Concord, I am resigning my seat in Nashua Ward 7, District 34 effective immediately.

Respectfully Submitted,  
Timothy Soucy

**COMMUNICATION**

Mister Speaker, Honorable House Clerk, and colleagues in the NH House of Representatives:

It is with a great deal of sadness that I must tender my resignation from the office of State Representative. As you know, I have represented the District of Strafford 23, comprising Wards 2 and 3 from the City of Rochester, since December 3, 2014.

It has been a great honor to be able to speak on behalf of the people of my District, and I owe them a debt of gratitude for having elected me to this office...an office that I originally did not want to seek! During the last 2 years, it has been an honor to work with the great people who I have had the good fortune to know in the House Ways and Means Committee. I have learned much from them, and hope to work with them once again if I am elected by the people in the ward into which I will be establishing my domicile.

This resignation will be effective immediately upon acceptance by the NH House or by the Office of the Speaker.

Sincerely,

Don E. Leeman  
Strafford 23

**COMMUNICATION**

Email dated June 1, 2016

Mr. Speaker,

It is with mixed emotions that I tender you this letter of resignation. It saddens me that I will be unable to complete my entire term here at the New Hampshire State House but I leave feeling more optimistic than ever with the knowledge that this great State is in such capable hands. While finances have prompted my move today, they do not suppress my desire to return as a colleague. It is my hope that the voters of Keene feel the same and send me back to this esteemed body next November so that we can continue our work towards a better Granite State!

"Live free or die: Death is not the worst of evils."

Rep. William A. Pearson, Election Law

NH House of Representatives

LOB, Room 308

33 North State Street

Concord, NH

[william.pearson@leg.state.nh.us](mailto:william.pearson@leg.state.nh.us)

**UNANIMOUS CONSENT**

Rep. Barbara French requested Unanimous Consent of the House regarding her last term and addressed the House.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Barbara French during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

**REMARKS**

**Representative French:** Thank you, Mister Speaker and colleagues. This is my last Session. I am retiring after 24 years of service. I'd like to make a few comments and observations. Government is of the people, by the people and for the people. The United States Constitution tells us, among other things, to promote the general welfare. The New Hampshire Constitution also tells us that all government is an institution for the common good. I am well acquainted with mental health. While a student at UNH, I worked two summers as an aide on a geriatric ward at New Hampshire Hospital. It was a wonderful experience. After graduating from Cornell University, New York Hospital School of Nursing, I worked for three years at the hospital and then returned to New Hampshire. I worked as a staff nurse and then as an instructor in the affiliate nursing program at New Hampshire Hospital. I remember in the 1980s when the patients were all discharged from New Hampshire Hospital and New Hampshire was to develop a community-based system of care. We didn't and were taken to court. We created an excellent system of care which is one of the best in the country and people came from all over to learn about it. Funding became an

issue and we were taken back to court. We again developed a system of care, the court accepted it and we are in the process of trying to implement it and we need to stay at it. There were some accomplishments. We passed expanded Medicaid and this Session we renewed our support. This is a significant accomplishment as about 50,000 people now have health care who either had no health insurance or inadequate coverage. Their lives have been improved, the hospitals have greatly reduced uncompensated care and the insurance companies are insuring many more people in the state. Is it perfect? No. After losing school nurse certification 50 years ago, it is now reinstated. This means better quality house services for our students. When I entered the legislature in 1992, it didn't matter what party we were. We all worked together as we knew what we were elected to do; the people's business. We didn't always agree, but we got the job done. Ever since I've been here we've had a structural deficit and New Hampshire should finally realize we have a revenue problem, not a spending problem. New Hampshire is a wonderful state. We have a lot of hard-working, caring people who deserve to have their needs met. I have hope that we can turn the situation around as; we too, are caring people. I did not come to the legislature to win a popularity contest, but to help our people in the state. It has been an honor and privilege to represent Henniker and Bradford. I have passed legislation that commits New Hampshire to primary prevention. I have made many good friends. I shall miss this place. Best wishes to everyone.

### **AMENDMENT TO HOUSE RULES**

Reps. Hinch and Shurtleff moved the adoption of an amendment to House Rules, as proposed by the Rules Committee and printed in Calendar 33A, to amend House Rule 35 (b) adding the following two lines:

"Failure of a member to engage in mediation may result in legislation not being filed. If mediation is not successful between members, the Speaker shall be the ultimate arbiter in deciding which bill will be filed."

Rep. Hinch spoke in favor.

On a division vote, with 243 members having voted in the affirmative, and 74 in the negative, the motion was adopted by the necessary two-thirds vote.

### **MOTION TO SUSPEND HOUSE RULES**

Reps. Hinch and Shurtleff moved that House Rules be so far suspended as to permit late drafting, introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee of a bill relative to changing certain study committee reporting dates, and if said bill passes, to allow immediate third reading.

Motion adopted by the necessary two-thirds vote.

### **RESOLUTION**

Reps. Hinch and Shurtleff offered the following: **RESOLVED**, that late introduction having been approved by a two-thirds vote of the House, House Bill numbered 1702 shall be by this resolution read a first and second time by the therein listed title.

Motion adopted.

### **INTRODUCTION OF HOUSE BILL**

#### **First and second reading**

**HB 1702**, changing certain study committee reporting dates.

### **CONSIDERATION OF HOUSE BILL 1702**

Rep. Hinch moved Ought to Pass.

Motion adopted.

### **RESOLUTION**

Reps. Hinch and Shurtleff moved that House Bill 1702 be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time.

Motion adopted.

#### **Third Reading and Final Passage**

**HB 1702**, changing certain study committee reporting dates.

**COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS**  
**COMMITTEE OF CONFERENCE REPORT ON SB 4**

Committee of Conference Report on SB 4, relative to eligibility to vote and relative to availability of voter information.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing sections 1-3 with the following:

1 Voter; Domicile. Amend RSA 654:1, I to read as follows:

**I.(a) Every inhabitant [of the state], having [a single] established domicile [for voting purposes] in this state for no less than 10 consecutive days before any election where the inhabitant offers to vote, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled.**

**(b)(1) An inhabitant's domicile for voting purposes [is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government:] shall be the principal or primary home or place of abode of a person. Principal or primary home or place of abode is that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence therefrom, including when the person is absent because of military service or temporarily absent as described in RSA 654:2.**

**(2) In determining what is a principal or primary place of abode of a person, without limitation the following factors or evidence relating to such person may be taken into account: civic and community participation, the place where a person spends most nights of the year, the location from which a person would apply for a passport or other federal identification, residence for income or other tax purposes, eligibility for a resident hunting and fishing license, and a New Hampshire driver's license.**

**(3) A qualified voter who has left his or her home and gone into another state or town of this state for a temporary purpose only shall not be considered to have lost his or her domicile as described in RSA 654:2.**

**(4) A person shall not be considered to have gained a domicile in any town or ward of this state into which he or she comes for temporary purposes only, without the intention of making it his or her home but with the intention of leaving it when he or she has accomplished the purpose that brought him or her there. Evidence that a person who, prior to arriving in New Hampshire, was domiciled in another state and is temporarily present in New Hampshire for any purpose including, but not limited to vacation, short-term temporary work, volunteering for social or civic purposes, or volunteering or working on political campaigns is not sufficient evidence that the person has established a domicile in New Hampshire.**

**(5) If a qualified voter moves to another state, with the intention of making it his or her permanent home, he or she shall be considered to have lost his or her domicile in this state.**

**(c) A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.**

2 New Paragraphs; Voter; Domicile. Amend RSA 654:1 by inserting after paragraph I-a the following new paragraphs:

**I-b. Any person who establishes a voting domicile that otherwise meets the requirement of paragraph I, less than 10 days before any election where the inhabitant offers to vote shall vote at the polling place for the town or ward of his or her most recent previous domicile. Except that any person who transfers an existing New Hampshire voter registration and satisfies the requirements of this chapter for proving his or her new domicile may vote at the polling place for the town or ward of his or her new domicile.**

**I-c. Any person who met the requirements of this chapter to register to vote in New Hampshire who has established a voting domicile outside of New Hampshire within the 10 consecutive days**

before an election and is not allowed to register and vote in that election in the state of his or her new domicile because he or she established that new domicile within 10 consecutive days before that election may vote at the polling place for the New Hampshire town or ward where he or she was previously domiciled.

3 Voter Registration Form. Amend RSA 654:7, IV to read as follows:

IV.(a) [A] Standard registration application [form] **forms** shall be used throughout the state. The registration [form] **forms** shall be no larger than 8 1/2 inches by 11 inches.

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, **transfers, or updates** other than those at the polling place on the date of a state general election, which shall be in substantially the following form:

\_\_\_ **NEW REGISTRATION** *I am not registered to vote in New Hampshire*

\_\_\_ **TRANSFER** *I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire*

\_\_\_ **NAME CHANGE/ADDRESS UPDATE** *I am registered to vote in this town/ward and have changed my name/address*

Date \_\_\_\_\_

### VOTER REGISTRATION FORM

(Please print or type)

1. Name \_\_\_\_\_

Last (suffix) First Full Middle Name

2. Domicile Address \_\_\_\_\_

Street Ward Number

Town or City Zip Code

3. Mailing Address if different than in 2 \_\_\_\_\_

Street

Town or City Zip Code

4. Place and Date of Birth \_\_\_\_\_

Town or City State

Date \_\_\_\_\_

5. Are you a citizen of the United States? Yes \_\_\_\_ No \_\_\_\_

If a naturalized citizen, give name of court where and date when naturalized

6. Place last registered to vote \_\_\_\_\_

Street Ward Number

7. Name under which previously registered, if different from above

8. Party Affiliation (if any) \_\_\_\_\_

9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_, I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire.

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town. **Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 10 consecutive days before the first election in which I intend to vote.**

**I understand that if I have not been domiciled in New Hampshire for at least 10 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.**

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

(c) The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations, **transfers, or updates** at the polling place on the date of a state general election, which shall be in substantially the following form:

\_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire

\_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

\_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date \_\_\_\_\_

#### VOTER REGISTRATION FORM

FOR USE AT THE POLLING PLACE ON THE DATE OF THE STATE GENERAL ELECTION

(Please print or type)

1. Name \_\_\_\_\_

Last

(suffix) First

Full Middle Name

Name

2. Domicile Address \_\_\_\_\_

Street

Ward Number

Town or City

Zip Code

3. Mailing Address if different than in 2 \_\_\_\_\_  
Street

Town or City

Zip Code

4. Place and Date of Birth \_\_\_\_\_  
Town or City State

Date \_\_\_\_\_

5. Are you a citizen of the United States? Yes \_\_\_\_\_ No \_\_\_\_\_

If a naturalized citizen, give name of court where and date when naturalized \_\_\_\_\_

6. Place last registered to vote \_\_\_\_\_

Street

Ward Number

7. Name under which previously registered, if different from above

8. Party Affiliation (if any) \_\_\_\_\_

9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_, I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire.

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town. **Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 10 consecutive days before the first election in which I intend to vote.**

**I understand that if I have not been domiciled in New Hampshire for at least 10 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.**

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date	Signature of Applicant	
If this form is used in place of proof of identity, age, citizenship, or domicile, I hereby swear that such information is true and accurate to the best of my knowledge.		
This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):		
Identity	yes/no	_____ (initials)
Citizenship	yes/no	_____ (initials)
Age	yes/no	_____ (initials)
Domicile	yes/no	_____ (initials)

Applicant	Election Official
-----------	-------------------

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Amend the bill by replacing section 5 with the following:

5 Statement of Purpose. The New Hampshire constitution states: "Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile." Members of the 1974 Constitutional Convention voted to make "domicile" a prerequisite for voting, rather than being an inhabitant or resident, with the intent to require a more definite and permanent qualification that preserves and promotes confidence in elections. It was deemed that a person may have multiple residences at one time, but only one domicile. The amendment to the constitution was passed during the 1976 general election; however, under the wording of our current statutes, it is difficult for the state to assert this constitutional interest in preserving the integrity, fairness, and efficiency of the election process. The Supreme Court has stated that this interest justifies the state's imposition of certain eligibility requirements for voters and has upheld the legislatures' duty to set qualifications for the equal constitutional right to be elected. A 10-day domiciliary requirement for electors provides administrative clarification while preserving and promoting voter confidence in New Hampshire's unmatched tradition of ballot access and voter participation.

The signatures below attest to the authenticity of this Report on SB 4, relative to eligibility to vote and relative to availability of voter information.

Conferees on the Part of the Senate

Sen. Birdsell, Dist. 19

Sen. Bradley, Dist. 3

Sen. Carson, Dist. 14

Conferees on the Part of the House

Rep. Hoelzel, Rock. 3

Rep. Schroadter, Rock. 17

Rep. Gray, Straf. 8

Rep. Gannon, Rock. 4

### AMENDED ANALYSIS

This bill:

I. Expands the definition of domicile for voting purposes and requires that a voter be a resident of the state for at least 10 days.

II. Modifies the voter registration form.

III. Allows otherwise confidential voter information to be made available to the legislature in an aggregated or statistical data format.

Rep. Hoelzel moved that the House adopt the Committee of Conference Report.

Rep. Burton spoke against.

Rep. Gannon spoke in favor and requested a roll call; sufficiently seconded.

### YEAS 192 - NAYS 141

#### YEAS - 192

##### BELKNAP

Aldrich, Glen  
Flanders, Donald  
Spanos, Peter  
Varney, Peter

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Tilton, Franklin  
Howard, Raymond  
Fraser, Valerie

Fields, Dennis  
Hurt, George  
Vadney, Herbert

#### CARROLL

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill

#### CHESHIRE

Emerson, Susan

Hunt, John

McConnell, James

Sterling, Franklin

#### COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

#### GRAFTON

Bailey, Brad  
Johnson, Eric  
Shackett, Jeffrey

Brown, Duane  
Gionet, Edmond

Darrow, Stephen  
Hull, Robert

Hennessey, Erin  
Ladd, Rick

#### HILLSBOROUGH

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Eastman, Eric  
Flanagan, Jack  
Gould, Linda  
Hogan, Edith  
Rice, Kimberly  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Fromuth, Bart  
Haefner, Robert  
Hopper, Gary  
Kurk, Neal  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Peterson, Ken

Griffin, Barbara  
Boehm, Ralph  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Halstead, Carolyn  
Infantine, William  
Christiansen, Lars  
Marston, Dick  
Murotake, David  
McCarthy, Peggy  
Pierce, David

Balcom, John  
Burt, John  
Donovan, Daniel  
Ferreira, Elizabeth  
Gagne, Larry  
Hinch, Richard  
Belanger, James  
Ober, Lynne  
Martel, Andre  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark



Christie, Rick  
Sanborn, Laurie  
Stepanek, Stephen  
Wolf, Terry

Ober, Russell  
Seidel, Carl  
Takesian, Charlene  
Zaricki, Nick

Rouillard, Claire  
Simmons, Tammy  
Twombly, Timothy

Rowe, Robert  
Souza, Kathleen  
Ulery, Jordan

### MERRIMACK

Brewster, Michael  
French, Harold  
Horn, Werner  
Marple, Richard  
Walsh, Thomas

McGuire, Carol  
Hess, David  
Kidder, David  
Martin, John

Long, Douglas  
Hill, Gregory  
Kotowski, Frank  
Schuett, Dianne

McGuire, Dan  
Hoell, J.R.  
Kuch, Bill  
Seaworth, Brian

### ROCKINGHAM

Christie, Andrew  
Barnes, Arthur  
Thomas, Douglas  
Doucette, Fred  
Rice, Frederick  
Gannon, William  
Harris, Jeffrey  
Ward, Joanne  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Belanger, Ronald  
True, Chris  
Weyler, Kenneth

Abrami, Patrick  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Duarte, Joe  
Ferrante, Beverly  
Green, Dennis  
Hoelzel, Kathleen  
Kappler, Lawrence  
Manning, John  
Milz, David  
Packard, Sherman  
Tilton, Rio  
Vose, Michael  
Woitkun, Steven

Abramson, Max  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Schroader, Adam  
Webb, James

Azarian, Gary  
Cook, Allen  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Hagan, Joseph  
Sweeney, Joe  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Welch, David

### STRAFFORD

Beaudoin, Steven  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Bickford, David  
Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Turcotte, Leonard

Graham, Robert  
Jones, Laura  
Mullen, John

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 141

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Bordenet, John  
Roberts, Kris  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Sad, Tara

Tilton, Benjamin  
Eaton, Daniel  
Mann, John  
Shepardson, Marjorie

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

### COOS

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

### GRAFTON

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

Ford, Susan  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Roberts, Carol	Cohen, Alan	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
Brown, Pamela	Long, Patrick	Porter, Marjorie	Walsh, Robert
Rosenwald, Cindy	Shattuck, Gilman	Snow, Kendall	Vann, Ivy
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	Rice, Chip	Carson, Clyde	Doherty, David
Ebel, Karen	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Frazer, June	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		

**ROCKINGHAM**

Bates, David	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Franeese, Paula	Ward, Gerald	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet		

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee

and the Committee of Conference Report was adopted.  
Rep. Schuett voted Yea and intended to vote Nay.

**COMMITTEE OF CONFERENCE REPORT ON SB 66**

Committee of Conference Report on SB 66, relative to naming of areas of the state house complex.  
Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Section; Joint Legislative Facilities Committee; Naming of Areas of State House Complex.  
Amend RSA 17-E by inserting after section 7 the following new section:

17-E:8 Naming of Areas of State House Complex. No area within the state house complex, including buildings, interior rooms, and grounds shall be named or renamed unless the proposed name is recommended for approval by the joint committee on legislative facilities and approved by both the house of representatives and the senate.

The signatures below attest to the authenticity of this Report on SB 66, relative to naming of areas of the state house complex.

Conferees on the Part of the Senate  
 Sen. Carson, Dist. 14  
 Sen. Bradley, Dist. 3  
 Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House  
 Rep. Packard, Rock. 5  
 Rep. Hinch, Hills. 21  
 Rep. R. Ober, Hills. 37  
 Rep. Weber, Ches. 1

### AMENDED ANALYSIS

This bill names the lobby of the legislative office building after former speaker of the house George Roberts. This bill also requires that naming of areas of the state house complex be recommended for approval by the joint committee on legislative facilities and approved by the house of representatives and the senate.

Rep. Packard moved that the House adopt the Committee of Conference Report and spoke in favor. Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 129-FN

Committee of Conference Report on SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

Conferees on the Part of the Senate  
 Sen. Reagan, Dist. 17  
 Sen. Cataldo, Dist. 6  
 Sen. Soucy, Dist. 18

Conferees on the Part of the House  
 Rep. A. Christie, Rock. 37  
 Rep. Sytek, Rock. 8  
 Rep. Goley, Hills. 8  
 Rep. Hansen, Hills. 22

Rep. Andrew Christie moved that the House adopt the Committee of Conference Report. Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 155-FN-A

Committee of Conference Report on SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

Conferees on the Part of the Senate  
 Sen. Reagan, Dist. 17  
 Sen. Carson, Dist. 14  
 Sen. Avard, Dist. 12

Conferees on the Part of the House  
 Rep. Hunt, Ches. 11  
 Rep. Gidge, Hills. 33  
 Rep. Hurt, Belk. 2  
 Rep. Weyler, Rock. 13

Rep. Hunt moved that the House adopt the Committee of Conference Report. Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 203-FN

Committee of Conference Report on SB 203-FN, relative to review of eligibility for workers' compensation.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 203-FN, relative to review of eligibility for workers' compensation.

Conferees on the Part of the Senate  
 Sen. Bradley, Dist. 3  
 Sen. Cataldo, Dist. 6  
 Sen. Soucy, Dist. 18

Conferees on the Part of the House  
 Rep. Packard, Rock. 5  
 Rep. Hinch, Hills. 21  
 Rep. Cahill, Rock. 17  
 Rep. Chandler, Carr. 1

Rep. Packard moved that the House adopt the Committee of Conference Report.  
 Motion adopted.

### **COMMITTEE OF CONFERENCE REPORT ON SB 239-FN**

Committee of Conference Report on SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

#### **Recommendation:**

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

Conferees on the Part of the Senate

Sen. Bradley, Dist. 3  
 Sen. Sanborn, Dist. 9  
 Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Major, Rock. 14  
 Rep. Abrami, Rock. 19  
 Rep. Gallagher, Belk. 4  
 Rep. Lovejoy, Rock. 36

Rep. Major moved that the House adopt the Committee of Conference Report.  
 Motion adopted.

### **CLERK'S NOTE**

The Committee of Conference report on Senate Bill 305, relative to the brew pub license, will not be taken up by the House. A member brought to my attention that they thought the report was in violation of the rules and, after reviewing current RSAs and both the House and Senate versions of the bill, the Speaker and I determined that the fee contained therein was not included in the statute being amended, had not had an affirmative vote of the House, nor had a public hearing. Thus, pursuant to House Rule 49 (j) which states in part "the House shall not accept a committee of conference report that amends any bill with a tax or fee increased, or creates a new tax or fee," the committee of conference report cannot come before the House and will have the same status of a bill that died in conference.

### **COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS (CONT'D)**

#### **COMMITTEE OF CONFERENCE REPORT ON SB 310**

Committee of Conference Report on SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies.

#### **Recommendation:**

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies.

Conferees on the Part of the Senate

Sen. Carson, Dist. 14  
 Sen. Cataldo, Dist. 6  
 Sen. Soucy, Dist. 18

Conferees on the Part of the House

Rep. Andrew Christie, Rock. 37  
 Rep. Sytek, Rock. 8  
 Rep. Hansen, Hills. 22  
 Rep. Peter Schmidt, Straf. 19

Rep. Andrew Christie moved that the House adopt the Committee of Conference Report.  
 Motion adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 315**

Committee of Conference Report on SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

**Recommendation:**

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 313-A:1, II(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Shampooing, arranging, dressing, or styling *the hair*.

Amend the bill by deleting section 2 and renumbering the original sections 3-11 to read as 2-10, respectively.

Amend RSA 313-A:1, VI as inserted by section 2 of the bill by replacing it with the following:

VI. "Cosmetology" means arranging, dressing, curling, waving, cleansing, cutting, bleaching, coloring, or similarly treating the hair of any person, and performing other work customarily performed by a cosmetologist such as giving facials [and], manicures, *pedicures, and artificial nail enhancements, applying makeup or eyelashes to any person, and removing superfluous hair.*

The signatures below attest to the authenticity of this Report on SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

Conferees on the Part of the Senate

Sen. Carson, Dist. 14

Sen. Cataldo, Dist. 6

Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Sytek, Rock. 8

Rep. Hansen, Hills. 22

Rep. Proulx, Hills. 44

Rep. Cilley, Straf. 4

Rep. Sytek moved that the House adopt the Committee of Conference Report.

Motion adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 319-FN**

Committee of Conference Report on SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

**Recommendation:**

That the Senate recede from its position of nonconcurrency with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

Conferees on the Part of the Senate

Sen. Carson, Dist. 14

Sen. Reagan, Dist. 17

Sen. Soucy, Dist. 18

Conferees on the Part of the House

Rep. Sytek, Rock. 8

Rep. Goley, Hills. 8

Rep. Umberger, Carr. 2

Rep. Andrew Christie, Rock. 37

Rep. Sytek moved that the House adopt the Committee of Conference Report.

Motion adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 320**

Committee of Conference Report on SB 320, relative to non-academic surveys administered by a public school to its students.

**Recommendation:**

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 320, relative to non-academic surveys administered by a public school to its students.

Conferees on the Part of the Senate

Sen. Reagan, Dist. 17

Sen. Avard, Dist. 12

Sen. Watters, Dist. 4

Conferees on the Part of the House

Rep. Ladd, Graf. 4

Rep. Balcom, Hills. 21

Rep. Cordelli, Carr. 4

Rep. Shaw, Hills. 16

Rep. Ladd moved that the House adopt the Committee of Conference Report.

Rep. Eastman requested a roll call; sufficiently seconded.

## YEAS 285 - NAYS 56

### YEAS - 285

#### BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Flanders, Donald	Gallagher, Brian	Howard, Raymond	Hurt, George
Spanos, Peter	Sylvia, Michael	Fraser, Valerie	Vadney, Herbert
Varney, Peter			

#### CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

#### CHESHIRE

Tilton, Benjamin	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Ley, Douglas	McConnell, James
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Sterling, Franklin	Tatro, Bruce	Weber, Lucy	

#### COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Rideout, Leon
Theberge, Robert	Tholl, John	Thomas, Yvonne	

#### GRAFTON

Almy, Susan	Bailey, Brad	Cooney, Mary	Brown, Duane
Darrow, Stephen	Hennessey, Erin	Johnson, Eric	Ford, Susan
Gionet, Edmond	Hull, Robert	Ingbretson, Paul	Ladd, Rick
Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	White, Andrew		

#### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert
Balcom, John	Barry, Richard	Biggie, Barbara	Boehm, Ralph
Booras, Efstathia	Bouldin, Amanda	Burt, John	Byron, Frank
Christensen, Chris	Cohen, Alan	Cote, David	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Smith, Gregory	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Gould, Linda	Haefner, Robert	Halstead, Carolyn
Harvey, Suzanne	Herbert, Christopher	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Belanger, James	Jack, Martin
Jeady, Jean	Rice, Kimberly	Kurk, Neal	Christiansen, Lars
Ober, Lynne	Lachance, Joseph	LeBrun, Donald	O'Brien, Michael
Manley, Jonathan	Marston, Dick	Martel, Andre	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Long, Patrick	McCarthy, Peggy	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Christie, Rick	Ober, Russell	Walsh, Robert	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Seidel, Carl
Shattuck, Gilman	Shaw, Barbara	Simmons, Tammy	Souza, Kathleen
Stepanek, Stephen	Takesian, Charlene	Twombly, Timothy	Ulery, Jordan
O'Brien, William	Williams, Kermit	Woodbury, David	Zaricki, Nick

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Brewster, Michael
McGuire, Carol	Rice, Chip	Carson, Clyde	Long, Douglas
McGuire, Dan	Doherty, David	Ebel, Karen	French, Harold
Henle, Paul	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Kuch, Bill	MacKay, James	Marple, Richard
Martin, John	Moffett, Howard	Myler, Mel	Patten, Dick
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Seaworth, Brian
Shurtliff, Stephen	Walsh, Thomas	Wallner, Mary Jane	Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Abramson, Max	Azarian, Gary
Barnes, Arthur	Bates, David	Berrien, Skip	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen	Cushing, Robert
Thomas, Douglas	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Emerick, J. Tracy	Rice, Frederick
Ferrante, Beverly	Fesh, Robert	Francesce, Paula	Friel, William
Ward, Gerald	Gannon, William	Green, Dennis	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Heffron, Frank	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Sweeney, Joe	Ward, Joanne
Kappler, Lawrence	Lovejoy, Patricia	Lundgren, David	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Pantelakos, Laura	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Belanger, Ronald	Tilton, Rio
Schroadter, Adam	Simpson, Alexis	Sytek, John	True, Chris
Vose, Michael	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			

**STRAFFORD**

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Burton, Wayne	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Thomas	Kaen, Naida	Knowles, Robert	Turcotte, Leonard
Smith, Marjorie	Mullen, John	Schmidt, Peter	Pitre, Joseph
Rollo, Deanna	Sprague, Dale	Stevens, Audrey	Verschueren, James
Wall, Janet	Wuelper, Kurt		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Laware, Thomas	Rollins, Skip	Smith, Steven	

**NAYS - 56****CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Roberts, Kris	Mann, John	Shepardson, Marjorie	

**COOS**

Froburg, Alethea

**GRAFTON**

Bennett, Travis	Higgins, Patricia	Hennessey, Martha	Maes, Kevin
Piper, Wendy	Townsend, Charles		

**HILLSBOROUGH**

Baroody, Benjamin	Beaulieu, Jane	Roberts, Carol	DiSilvestro, Linda
Freitas, Mary	Guerette, C. Lee	Hansberry, Daniel	Heath, Mary
Katsiantonis, Thomas	Mangipudi, Latha	McNamara, Richard	Brown, Pamela
Porter, Marjorie	Snow, Kendall	Vann, Ivy	Wolf, Terry

**MERRIMACK**

Bartlett, Christy  
Luneau, David

Bradley, Paula  
Ratzki, Mario

Hirsch, Geoffrey

Frazer, June

**ROCKINGHAM**

Borden, David  
Elliott, Robert

Cahill, Michael  
McBeath, Rebecca

DiFranco, Debbie  
Sherman, Thomas

Edgar, Michael

**STRAFFORD**

Bixby, Peter  
Horrigan, Timothy

Cilley, Jacalyn  
Southworth, Thomas

DiSesa, Len  
Spang, Judith

Gardner, Janice  
Treleaven, Susan

**SULLIVAN**

Schmidt, Andrew  
Oxenham, Lee

Converse, Larry

Irwin, Virginia

O'Hearne, Andrew

and the Committee of Conference Report was adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 324**

Committee of Conference Report on SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

Conferees on the Part of the Senate

Sen. Reagan, Dist. 17

Sen. Avar, Dist. 12

Sen. Woodburn, Dist. 1

Conferees on the Part of the House

Rep. Matthews, Rock. 3

Rep. Potucek, Rock. 6

Rep. Chris Christensen, Hills. 21

Rep. McConnell, Ches. 12

Rep. Matthews moved that the House adopt the Committee of Conference Report.

Rep. Suzanne Smith spoke against.

Rep. McConnell spoke in favor.

Rep. DeLemus requested a roll call; sufficiently seconded.

**YEAS 191 - NAYS 149**

**YEAS - 191****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Spanos, Peter  
Varney, Peter

Dumais, Russell  
Gallagher, Brian  
Sylvia, Michael

Tilton, Franklin  
Howard, Raymond  
Fraser, Valerie

Fields, Dennis  
Hurt, George  
Vadney, Herbert

**CARROLL**

Avellani, Lino  
Crawford, Karel  
Parker, Harold

Chandler, Gene  
McCarthy, Frank  
Schmidt, Stephen

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Tilton, Benjamin  
Sterling, Franklin

Emerson, Susan

Hunt, John

McConnell, James

**COOS**

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John



**GRAFTON**

Bailey, Brad  
Gionet, Edmond

Brown, Duane  
Hull, Robert

Darrow, Stephen  
Ingbretson, Paul

Johnson, Eric  
Ladd, Rick

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Burt, John  
Donovan, Daniel  
Ferreira, Elizabeth  
Gagne, Larry  
Hinch, Richard  
Belanger, James  
Lachance, Joseph  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Christie, Rick  
Sanborn, Laurie  
Souza, Kathleen  
Ulery, Jordan

Ammon, Keith  
Biggie, Barbara  
Byron, Frank  
Eastman, Eric  
Flanagan, Jack  
Gidge, Kenneth  
Hogan, Edith  
Rice, Kimberly  
LeBrun, Donald  
Moore, Josh  
Ohm, Bill  
Peterson, Ken  
Ober, Russell  
Seidel, Carl  
Stepanek, Stephen  
O'Brien, William

Griffin, Barbara  
Boehm, Ralph  
Christensen, Chris  
Edelblut, Frank  
Fromuth, Bart  
Gould, Linda  
Hopper, Gary  
Christiansen, Lars  
Marston, Dick  
Murotake, David  
McCarthy, Peggy  
Pierce, David  
Rouillard, Claire  
Shaw, Barbara  
Takesian, Charlene  
Wolf, Terry

Balcom, John  
Bouldin, Amanda  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Halstead, Carolyn  
Infantine, William  
Ober, Lynne  
Martel, Andre  
Murphy, Keith  
Palmer, Barry  
Proulx, Mark  
Rowe, Robert  
Simmons, Tammy  
Twombly, Timothy  
Zaricki, Nick

**MERRIMACK**

Brewster, Michael  
Hill, Gregory  
Kuch, Bill

McGuire, Carol  
Hoell, J.R.  
Marple, Richard

McGuire, Dan  
Horn, Werner  
Martin, John

French, Harold  
Kotowski, Frank  
Seaworth, Brian

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cook, Allen  
Devine, James  
Rice, Frederick  
Gannon, William  
Harris, Jeffrey  
Sweeney, Joe  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Welch, David

Abrami, Patrick  
Bates, David  
Thomas, Douglas  
Duarte, Joe  
Ferrante, Beverly  
Green, Dennis  
Hoelzel, Kathleen  
Ward, Joanne  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Belanger, Ronald  
True, Chris  
Weyler, Kenneth

Abramson, Max  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Elliott, Robert  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
Kappler, Lawrence  
Manning, John  
Milz, David  
Packard, Sherman  
Tilton, Rio  
Vose, Michael  
Woitkun, Steven

Azarian, Gary  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Friel, William  
Hagan, Joseph  
Itse, Daniel  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Schroadtter, Adam  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Mullen, John

Bickford, David  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 149****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Mann, John  
Sad, Tara

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Bordenet, John  
Roberts, Kris  
Phillips, Larry  
Tatro, Bruce

**COOS**

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Bennett, Travis  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Cooney, Mary  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Hennessey, Erin  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Roberts, Carol  
Edwards, Elizabeth  
Guerette, C. Lee  
Heath, Mary  
Katsiantonis, Thomas  
Manley, Jonathan  
Porter, Marjorie  
Snow, Kendall

Baroody, Benjamin  
Cohen, Alan  
Freitas, Mary  
Haefner, Robert  
Herbert, Christopher  
Kurk, Neal  
McNamara, Richard  
Walsh, Robert  
Vann, Ivy

Beaulieu, Jane  
Cote, David  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
O'Brien, Michael  
Brown, Pamela  
Rosenwald, Cindy  
Williams, Kermit

Booras, Efstathia  
DiSilvestro, Linda  
Gorman, Mary  
Harvey, Suzanne  
Judy, Jean  
Mangipudi, Latha  
Long, Patrick  
Shattuck, Gilman  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Luneau, David  
Patten, Dick  
Schuett, Dianne

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Ward, Gerald  
Pantelakos, Laura

Borden, David  
DiFranco, Debbie  
Heffron, Frank  
Peckham, Michele

Cahill, Michael  
Edgar, Michael  
Lovejoy, Patricia  
Sherman, Thomas

Cali-Pitts, Jacqueline  
Francese, Paula  
McBeath, Rebecca  
Simpson, Alexis

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

Berube, Roger  
DiSesa, Len  
Smith, Marjorie  
Spang, Judith  
Verschueren, James

Bixby, Peter  
Gardner, Janice  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Burton, Wayne  
Horrigan, Timothy  
Rollo, Deanna  
Stevens, Audrey

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

and the Committee of Conference Report was adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 326**

Committee of Conference Report on SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

**Recommendation:**

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

**Conferees on the Part of the Senate**

Sen. Reagan, Dist. 17

Sen. Avard, Dist. 12

Sen. Kelly, Dist. 10

**Conferees on the Part of the House**

Rep. Ladd, Graf. 4

Rep. Weyler, Rock. 13

Rep. Hinch, Hills. 21

Rep. Heath, Hills. 14

Rep. Ladd moved that the House adopt the Committee of Conference Report.

Motion adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 342-FN**

Committee of Conference Report on SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

**Recommendation:**

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

**Conferees on the Part of the Senate**

Sen. Boutin, Dist. 16

Sen. Bradley, Dist. 3

Sen. D'Allesandro, Dist. 20

**Conferees on the Part of the House**

Rep. Major, Rock. 14

Rep. Abrami, Rock. 19

Rep. Lovejoy, Rock. 36

Rep. Lachance, Hills. 8

Rep. Major moved that the House adopt the Committee of Conference Report.

Motion adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 369-FN**

Committee of Conference Report on SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum.

**Recommendation:**

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 New Section; School Boards; Drug and Alcohol Education. Amend RSA 189 by inserting after section 11-c the following new section:

189:11-d Drug and Alcohol Education.

I. Each public school in the state, as part of the school board-approved kindergarten through grade 12 health education program, shall provide age and developmentally appropriate drug and alcohol education to pupils based upon the needs of the pupils and the community. The school board may authorize the use of an evidence-based prevention program.

II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

The signatures below attest to the authenticity of this Report on SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum.

Conferees on the Part of the Senate  
 Sen. Bradley, Dist. 3  
 Sen. Stiles, Dist. 24  
 Sen. Kelly, Dist. 10

Conferees on the Part of the House  
 Rep. Ladd, Graf. 4  
 Rep. Kurk, Hills. 2  
 Rep. Hinch, Hills. 21  
 Rep. Shaw, Hills. 16

### AMENDED ANALYSIS

This bill requires public schools to provide age and developmentally appropriate drug and alcohol education to pupils.

Rep. Ladd moved that the House adopt the Committee of Conference Report.  
 Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 384

Committee of Conference Report on SB 384, relative to the feeding of wild deer.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 New Section; Fish and Game; Feeding of Wild Deer. Amend RSA 208 by inserting after section 8-a the following new section:

208:8-b Feeding of Wild Deer.

I.(a) No person shall knowingly place food for consumption by wild deer if the fish and game department has determined such feeding would be detrimental to the health of the deer population or a threat to public safety.

(b) The executive director shall adopt rules pursuant to RSA 541-A that include but shall not be limited to the definition of food, the time of feeding, and the locations for feeding that would be detrimental for consumption by wild deer and the criteria by which the department will determine if feeding would be detrimental to the health of the deer population or a threat to public safety.

II. The fish and game department shall provide informational materials concerning the harmful or fatal feeding of wild deer to businesses and establishments in this state which sell or offer for sale wild animal feed.

III. Any person who violates the provisions of this section shall be given a warning for a first offense and shall be guilty of a violation for any subsequent offense.

IV. This section shall not apply to baiting permitted under RSA 207:3-d and agriculture as defined in RSA 21:34-a.

The signatures below attest to the authenticity of this Report on SB 384, relative to the feeding of wild deer.

Conferees on the Part of the Senate  
 Sen. Little, Dist. 8  
 Sen. Sanborn, Dist. 9  
 Sen. Feltes, Dist. 15

Conferees on the Part of the House  
 Rep. Kidder, Merr. 5  
 Rep. Webb, Rock. 6  
 Rep. Spillane, Rock. 2  
 Rep. Vann, Hills. 24

### AMENDED ANALYSIS

This bill prohibits placing of food for consumption by wild deer that would be detrimental to the health of the deer population or a threat to public safety, in accordance with rules adopted by the executive director of fish and game. The bill also requires the fish and game department to provide informational materials to businesses.

Rep. Kidder moved that the House adopt the Committee of Conference Report.  
 Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 391

Committee of Conference Report on SB 391, relative to annulment of certain misdemeanor offenses.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as passed by the Senate.  
 The signatures below attest to the authenticity of this Report on SB 391, relative to annulment of certain misdemeanor offenses.

Conferees on the Part of the Senate  
 Sen. Carson, Dist. 14  
 Sen. Forrester, Dist. 2  
 Sen. Lasky, Dist. 13

Conferees on the Part of the House  
 Rep. Tholl, Coos 5  
 Rep. Martin, Merr. 23  
 Rep. Hirsch, Merr. 6  
 Rep. Parker, Carr. 6

Rep. Tholl moved that the House adopt the Committee of Conference Report.  
 Rep. Burt requested a roll call; sufficiently seconded.

### YEAS 333 - NAYS 11

#### YEAS - 333

##### BELKNAP

Aldrich, Glen  
 Flanders, Donald  
 Spanos, Peter  
 Varney, Peter

Dumais, Russell  
 Gallagher, Brian  
 Sylvia, Michael

Tilton, Franklin  
 Howard, Raymond  
 Fraser, Valerie

Fields, Dennis  
 Hurt, George  
 Vadney, Herbert

##### CARROLL

Avellani, Lino  
 Comeau, Ed  
 McConkey, Mark  
 Ticehurst, Susan

Buco, Thomas  
 Cordelli, Glenn  
 Nelson, Bill  
 Umberger, Karen

Butler, Edward  
 Crawford, Karel  
 Parker, Harold

Chandler, Gene  
 McCarthy, Frank  
 Schmidt, Stephen

##### CHESHIRE

Abbott, Michael  
 Bordenet, John  
 Johnsen, Gladys  
 Mann, John  
 Robertson, Timothy  
 Tatro, Bruce

Ames, Richard  
 Chase, Cynthia  
 Hunt, John  
 McConnell, James  
 Sad, Tara  
 Weber, Lucy

Tilton, Benjamin  
 Eaton, Daniel  
 Roberts, Kris  
 Parkhurst, Henry  
 Shepardson, Marjorie

Berch, Paul  
 Emerson, Susan  
 Ley, Douglas  
 Phillips, Larry  
 Sterling, Franklin

##### COOS

Fothergill, John  
 Richardson, Herbert

Frobург, Alethea  
 Theberge, Robert

Hatch, William  
 Tholl, John

Moynihan, Wayne  
 Thomas, Yvonne

##### GRAFTON

Almy, Susan  
 Brown, Duane  
 Gionet, Edmond  
 Ladd, Rick  
 Piper, Wendy  
 Townsend, Charles

Bailey, Brad  
 Darrow, Stephen  
 Higgins, Patricia  
 Hennessey, Martha  
 Shackett, Jeffrey  
 White, Andrew

Bennett, Travis  
 Hennessey, Erin  
 Hull, Robert  
 Massimilla, Linda  
 Smith, Suzanne

Cooney, Mary  
 Ford, Susan  
 Ingbretson, Paul  
 Nordgren, Sharon  
 Sykes, George

##### HILLSBOROUGH

Adams, Christopher  
 Balcom, John  
 Biggie, Barbara  
 Burt, John  
 Cohen, Alan  
 Donovan, Daniel  
 Estevez, Eric  
 Fromuth, Bart  
 Goley, Jeffrey  
 Haefner, Robert  
 Heath, Mary

Ammon, Keith  
 Baroody, Benjamin  
 Boehm, Ralph  
 Byron, Frank  
 Cote, David  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Smith, Gregory  
 Gorman, Mary  
 Halstead, Carolyn  
 Herbert, Christopher

Griffin, Barbara  
 Barry, Richard  
 Booras, Efstathia  
 Christensen, Chris  
 Danielson, David  
 Edelblut, Frank  
 Flanagan, Jack  
 Gagne, Larry  
 Gould, Linda  
 Hansberry, Daniel  
 Hinch, Richard

Backus, Robert  
 Beaulieu, Jane  
 Bouldin, Amanda  
 Roberts, Carol  
 DiSilvestro, Linda  
 Edwards, Elizabeth  
 Freitas, Mary  
 Gidge, Kenneth  
 Guerette, C. Lee  
 Harvey, Suzanne  
 Hogan, Edith

Hopper, Gary  
 Jeudy, Jean  
 Christiansen, Lars  
 Leishman, Peter  
 Marston, Dick  
 Moore, Josh  
 Ohm, Bill  
 Peterson, Ken  
 Christie, Rick  
 Rouillard, Claire  
 Shattuck, Gilman  
 Souza, Kathleen  
 Ulery, Jordan  
 Wolf, Terry

Infantine, William  
 Rice, Kimberly  
 Ober, Lynne  
 O'Brien, Michael  
 Martel, Andre  
 Murotake, David  
 Long, Patrick  
 Pierce, David  
 Ober, Russell  
 Rowe, Robert  
 Shaw, Barbara  
 Stepanek, Stephen  
 Vann, Ivy  
 Woodbury, David

Belanger, James  
 Katsiantonis, Thomas  
 Lachance, Joseph  
 Mangipudi, Latha  
 McLean, Mark  
 Murphy, Keith  
 McCarthy, Peggy  
 Porter, Marjorie  
 Walsh, Robert  
 Sanborn, Laurie  
 Simmons, Tammy  
 Takesian, Charlene  
 O'Brien, William  
 Zaricki, Nick

Jack, Martin  
 Kurk, Neal  
 LeBrun, Donald  
 Manley, Jonathan  
 McNamara, Richard  
 Notter, Jeanine  
 Palmer, Barry  
 Proulx, Mark  
 Rosenwald, Cindy  
 Seidel, Carl  
 Snow, Kendall  
 Twombly, Timothy  
 Williams, Kermit

### MERRIMACK

Turcotte, Alan  
 Bradley, Paula  
 Carson, Clyde  
 Ebel, Karen  
 Hill, Gregory  
 Frazer, June  
 Kotowski, Frank  
 Martin, John  
 Ratzki, Mario  
 Seaworth, Brian  
 Wheeler, Deborah

Alicea, Caroletta  
 Brewster, Michael  
 Long, Douglas  
 Gile, Mary  
 Hirsch, Geoffrey  
 Karrick, David  
 Kuch, Bill  
 Moffett, Howard  
 Rogers, Katherine  
 Shurtleff, Stephen

French, Barbara  
 McGuire, Carol  
 McGuire, Dan  
 Henle, Paul  
 Hoell, J.R.  
 Kenison, Linda  
 MacKay, James  
 Myler, Mel  
 Saunderson, George  
 Walsh, Thomas

Bartlett, Christy  
 Rice, Chip  
 Doherty, David  
 Hess, David  
 Horn, Werner  
 Kidder, David  
 Marple, Richard  
 Patten, Dick  
 Schuett, Dianne  
 Wallner, Mary Jane

### ROCKINGHAM

Christie, Andrew  
 Barnes, Arthur  
 Cahill, Michael  
 Cook, Allen  
 DeSimone, Debra  
 Duarte, Joe  
 Ferrante, Beverly  
 Ward, Gerald  
 Harris, Jeffrey  
 Itse, Daniel  
 Lovejoy, Patricia  
 Matthews, Carolyn  
 Nigrello, Robert  
 Pantelakos, Laura  
 Belanger, Ronald  
 Simpson, Alexis  
 Webb, James

Abrami, Patrick  
 Bates, David  
 Cali-Pitts, Jacqueline  
 Cushing, Robert  
 Devine, James  
 Edgar, Michael  
 Fesh, Robert  
 Green, Dennis  
 Heffron, Frank  
 Sweeney, Joe  
 Lundgren, David  
 McBeath, Rebecca  
 O'Connor, John  
 Peckham, Michele  
 Tilton, Rio  
 Sytek, John  
 Welch, David

Abramson, Max  
 Berrien, Skip  
 Cardon, G. Thomas  
 Thomas, Douglas  
 DiFranco, Debbie  
 Elliott, Robert  
 Francese, Paula  
 Guthrie, Joseph  
 Hoelzel, Kathleen  
 Ward, Joanne  
 Griffin, Mary  
 McMahon, Charles  
 Osborne, Jason  
 Potucek, John  
 Schroadter, Adam  
 True, Chris  
 Weyler, Kenneth

Azarian, Gary  
 Borden, David  
 Chirichiello, Brian  
 Dean-Bailey, Yvonne  
 Doucette, Fred  
 Emerick, J. Tracy  
 Friel, William  
 Hagan, Joseph  
 Introne, Robert  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sherman, Thomas  
 Vose, Michael  
 Woitkun, Steven

### STRAFFORD

Baber, William  
 Bixby, Peter  
 DeLemus, Susan  
 Gray, James  
 Jones, Laura  
 Turcotte, Leonard  
 Pitre, Joseph  
 Sprague, Dale  
 Wall, Janet

Beaudoin, Steven  
 Burton, Wayne  
 DiSesa, Len  
 Groen, Warren  
 Kaczynski, Thomas  
 Smith, Marjorie  
 Rollo, Deanna  
 Stevens, Audrey  
 Wuelper, Kurt

Berube, Roger  
 Cheney, Catherine  
 Gardner, Janice  
 Hannon, Joseph  
 Kaen, Naida  
 Mullen, John  
 Southworth, Thomas  
 Treleaven, Susan

Bickford, David  
 Cilley, Jacalyn  
 Graham, Robert  
 Horrigan, Timothy  
 Knowles, Robert  
 Schmidt, Peter  
 Spang, Judith  
 Verschueren, James

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
O'Hearne, Andrew

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

**NAYS - 11****COOS**

Rideout, Leon

**GRAFTON**

Johnson, Eric

Maes, Kevin

**HILLSBOROUGH**

Brown, Pamela

Pellegrino, Anthony

**MERRIMACK**

French, Harold

Luneau, David

**ROCKINGHAM**

Rice, Frederick

Gannon, William

Manning, John

McKinney, Betsy

and the Committee of Conference Report was adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 409-FN**

Committee of Conference Report on SB 409-FN, relative to the first responder's critical injury benefit.  
Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing sections 1-3 with the following:

1 First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] **2018**. Benefits paid under this section for all claimants shall not exceed \$500,000.

2 Prospective Repeal Extended. Amend 2014, 242:4, I to read as follows:

I. Paragraph I of section 2 of this act shall take effect June 30, [2016] **2018**.

3 Committee to Study Soft Tissue Injuries for Purposes of Workers' Compensation Permanent Impairment Awards Established.

I. There is established a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards.

(a) The members of the committee shall be as follows:

(1) One member of the senate, appointed by the president of the senate.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

II. The committee shall study soft tissue injuries for purposes of workers' compensation permanent impairment awards.

III. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

IV. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

The signatures below attest to the authenticity of this Report on SB 409-FN, relative to the first responder's critical injury benefit.

Conferees on the Part of the Senate  
 Sen. Prescott, Dist. 23  
 Sen. Cataldo, Dist. 6  
 Sen. Soucy, Dist. 18

Conferees on the Part of the House  
 Rep. Seaworth, Merr. 20  
 Rep. Murphy, Hills. 7  
 Rep. White, Graf. 13  
 Rep. Umberger, Carr. 2

### AMENDED ANALYSIS

This bill extends the prospective repeal of the first responder's critical injury benefit. This bill also establishes a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards.

Rep. Seaworth moved that the House adopt the Committee of Conference Report.  
 Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 411

Committee of Conference Report on SB 411, relative to the merger of lots that are mortgaged.  
 Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as passed by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Voluntary Merger. Amend RSA 674:39-a to read as follows:  
 674:39-a Voluntary Merger.

*I. Any owner of 2 or more contiguous preexisting approved or subdivided lots or parcels who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the planning board or its designee. Except [~~where such merger would create a violation of then-current ordinances or regulations~~] as set forth in paragraphs II and III, all such requests shall be approved, and no public hearing or notice shall be required. No new survey plat need be recorded, but a notice of the merger, sufficient to identify the relevant parcels and endorsed in writing by the planning board or its designee, shall be filed for recording in the registry of deeds, and a copy mailed to the municipality's assessing officials. No such merged parcel shall thereafter be separately transferred without subdivision approval. No city, town, county, or village district may merge preexisting subdivided lots or parcels except upon the consent of the owner.*

*II. If there is any mortgage on any of the lots, the applicant shall give written notice to each mortgage holder at the time of the submission of the application. The written consent of each mortgage holder shall be required as a condition of approval of the merger, and shall be recorded with the notice of the merger pursuant to paragraph I. Upon recordation of the notice and each consent, the mortgage or mortgages shall be deemed by operation of law to apply to all lots involved in the merger. The municipality shall not be liable for any deficiency in the notice to mortgage holders.*

*III. No merger shall be approved that would create a violation of then-current ordinances or regulations.*

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Restoration of Involuntarily Merged Lots. Amend RSA 674:39-aa, II(a) to read as follows:

(a) The request is submitted to the governing body prior to December 31, [2016] 2021.

The signatures below attest to the authenticity of this Report on SB 411, relative to the merger of lots that are mortgaged.

Conferees on the Part of the Senate  
 Sen. Prescott, Dist. 23  
 Sen. Cataldo, Dist. 6  
 Sen. Watters, Dist. 4

Conferees on the Part of the House  
 Rep. Hunt, Ches. 11  
 Rep. Bates, Rock. 7  
 Rep. Williams, Hills. 4  
 Rep. Harold French, Merr. 2

### AMENDED ANALYSIS

This bill requires that mortgage holders consent to the voluntary merger of lots. This bill also extends the deadline for requests for restoration of lots that were involuntarily merged.

Rep. Hunt moved that the House adopt the Committee of Conference Report.

Motion adopted.



**COMMITTEE OF CONFERENCE REPORT ON SB 441-FN**

Committee of Conference Report on SB 441-FN, relative to discounts and admission without charge at state parks.

**Recommendation:**

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 State Parks; Admission Charges; Persons 65 Years of Age and Older. Amend RSA 218:5-c to read as follows:

218:5-c Admission Without Charge; *Residents 65 Years of Age and Older.*

*I.* Any person who is a resident of this state and who has attained the age of 65 shall, upon proper identification, be admitted to any state recreation area, including but not limited to parks, historical sites, *and beaches*[~~and state-operated ski areas,~~] without charge *except on weekends and holidays*. Persons qualifying under this [section] *paragraph* shall be allowed to use any state owned facility within the recreation area without charge for the use of the facility, except *those facilities operated by third parties*.

*II.* Persons qualifying under [~~this section shall~~] *paragraph I* may be charged *up to 2/3 of the usual fee* for the use of so-called "uphill devices" on [~~Saturdays and Sundays~~] *weekends and holidays, and up to 1/3 of the usual fee on weekdays*. Provided further that other special charges at state owned recreation areas, such as fees charged for parking at parking meters, shall be charged persons qualifying under [~~this section~~] *paragraph I* at the usual rates.

*III. A person who is a resident of this state, who has attained the age of 65, shall be entitled to use uphill devices at state operated ski areas at a reduced rate. Upon proper identification, such person shall be charged \$5 per day on weekdays excluding holidays. The daily use charge may be increased annually by an amount not to exceed \$5. The daily charge for use of uphill devices for such persons shall not exceed 1/3 of the usual fee. The daily use charge for such persons for the use of uphill devices on weekends and holidays shall not exceed 2/3 of the usual fee.*

*IV.* The provisions of this section shall not apply to state owned campsites or camping areas or state-owned ski areas operated by a lessee. *Additional discounts or admission without charge for persons qualifying under this section may be provided in accordance with RSA 216-A:3-g.*

The signatures below attest to the authenticity of this Report on SB 441-FN, relative to discounts and admission without charge at state parks.

Conferees on the Part of the Senate

Sen. Stiles, Dist. 24

Sen. Boutin, Dist. 16

Sen. Woodburn, Dist. 1

Conferees on the Part of the House

Rep. Chris Christensen, Hills. 21

Rep. Mullen, Straf. 1

Rep. Suzanne Smith, Graf. 8

Rep. Major, Rock. 14

Rep. Chris Christensen moved that the House adopt the Committee of Conference Report.

Reps. True and Bailey spoke against.

Reps. Chris Christensen and Suzanne Smith spoke in favor and yielded to questions.

Rep. True requested a roll call; sufficiently seconded.

**YEAS 156 - NAYS 185****YEAS - 156****BELKNAP**

Tilton, Franklin

Fields, Dennis

Flanders, Donald

Vadney, Herbert

**CARROLL**

Chandler, Gene

Crawford, Karel

McConkey, Mark

Nelson, Bill

Schmidt, Stephen

Umberger, Karen

**CHESHIRE**

Abbott, Michael

Ames, Richard

Chase, Cynthia

Eaton, Daniel

Emerson, Susan

Hunt, John

Roberts, Kris

Ley, Douglas

Mann, John

McConnell, James

Phillips, Larry

Sad, Tara

Shepardson, Marjorie

Weber, Lucy

**COOS**

Fothergill, John

Moynihan, Wayne

Thomas, Yvonne

**GRAFTON**

Almy, Susan

Hull, Robert

Smith, Suzanne

Bennett, Travis

Hennessey, Martha

Sykes, George

Johnson, Eric

Nordgren, Sharon

Townsend, Charles

Gionet, Edmond

Shackett, Jeffrey

White, Andrew

**HILLSBOROUGH**

Adams, Christopher

Balcom, John

Booras, Efstathia

Ferreira, Elizabeth

Haefner, Robert

Herbert, Christopher

LeBrun, Donald

Brown, Pamela

Ober, Russell

Rowe, Robert

Wolf, Terry

Ammon, Keith

Barry, Richard

Christensen, Chris

Gagne, Larry

Halstead, Carolyn

Hinch, Richard

McNamara, Richard

McCarthy, Peggy

Walsh, Robert

Seidel, Carl

Woodbury, David

Griffin, Barbara

Beaulieu, Jane

DiSilvestro, Linda

Goley, Jeffrey

Hansberry, Daniel

Kurk, Neal

Moore, Josh

Pierce, David

Rosenwald, Cindy

Simmons, Tammy

Backus, Robert

Biggie, Barbara

Edwards, Elizabeth

Gould, Linda

Harvey, Suzanne

Christiansen, Lars

Murphy, Keith

Porter, Marjorie

Rouillard, Claire

Snow, Kendall

**MERRIMACK**

French, Barbara

McGuire, Dan

Hess, David

MacKay, James

Seaworth, Brian

Bartlett, Christy

Doherty, David

Hoell, J.R.

Marple, Richard

Shurtleff, Stephen

Bradley, Paula

Ebel, Karen

Horn, Werner

Moffett, Howard

Walsh, Thomas

McGuire, Carol

Henle, Paul

Kotowski, Frank

Schuett, Dianne

Wallner, Mary Jane

**ROCKINGHAM**

Christie, Andrew

Berrien, Skip

Emerick, J. Tracy

Francese, Paula

Sweeney, Joe

Matthews, Carolyn

O'Connor, John

Prudhomme-O'Brien, Katherine

Sherman, Thomas

Abrami, Patrick

Borden, David

Rice, Frederick

Hagan, Joseph

Ward, Joanne

McBeath, Rebecca

Osborne, Jason

Belanger, Ronald

Simpson, Alexis

Azarian, Gary

Cardon, G. Thomas

Ferrante, Beverly

Heffron, Frank

Lundgren, David

McKinney, Betsy

Packard, Sherman

Tilton, Rio

Sytek, John

Bates, David

DeSimone, Debra

Fesh, Robert

Hoelzel, Kathleen

Major, Norman

Nigrello, Robert

Pantelakos, Laura

Schroadter, Adam

Weyler, Kenneth

**STRAFFORD**

Baber, William

Kaczynski, Thomas

Mullen, John

Treleaven, Susan

Bickford, David

Kaen, Naida

Schmidt, Peter

Verschuieren, James

Bixby, Peter

Turcotte, Leonard

Southworth, Thomas

Wuelper, Kurt

Gray, James

Smith, Marjorie

Spang, Judith

**SULLIVAN**

Schmidt, Andrew

Gottling, Suzanne

Irwin, Virginia

O'Hearne, Andrew

**NAYS - 185****BELKNAP**

Aldrich, Glen

Hurt, George

Dumais, Russell

Spanos, Peter

Gallagher, Brian

Fraser, Valerie

Howard, Raymond

Varney, Peter

**CARROLL**

Avellani, Lino

Cordelli, Glenn

Bucio, Thomas

McCarthy, Frank

Butler, Edward

Parker, Harold

Comeau, Ed

Ticehurst, Susan

**CHESHIRE**

Tilton, Benjamin  
Parkhurst, Henry

Berch, Paul  
Robertson, Timothy

Bordenet, John  
Sterling, Franklin

Johnsen, Gladys  
Tatro, Bruce

**COOS**

Froburg, Alethea  
Tholl, John

Richardson, Herbert

Rideout, Leon

Theberge, Robert

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Massimilla, Linda

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy

Brown, Duane  
Ladd, Rick

Darrow, Stephen  
Maes, Kevin

**HILLSBOROUGH**

Baroody, Benjamin  
Byron, Frank  
Danielson, David  
Estevez, Eric  
Smith, Gregory  
Heath, Mary  
Belanger, James  
Katsiantonis, Thomas  
O'Brien, Michael  
Martel, Andre  
Ohm, Bill  
Peterson, Ken  
Shattuck, Gilman  
Takesian, Charlene  
O'Brien, William

Boehm, Ralph  
Roberts, Carol  
Donovan, Daniel  
Flanagan, Jack  
Gidge, Kenneth  
Hogan, Edith  
Jack, Martin  
Ober, Lynne  
Mangipudi, Latha  
McLean, Mark  
Long, Patrick  
Proulx, Mark  
Shaw, Barbara  
Twombly, Timothy  
Williams, Kermit

Bouldin, Amanda  
Cohen, Alan  
Eastman, Eric  
Freitas, Mary  
Gorman, Mary  
Hopper, Gary  
Judy, Jean  
Lachance, Joseph  
Manley, Jonathan  
Murotake, David  
Palmer, Barry  
Christie, Rick  
Souza, Kathleen  
Ulery, Jordan  
Zaricki, Nick

Burt, John  
Cote, David  
Edelblut, Frank  
Fromuth, Bart  
Guerette, C. Lee  
Infantine, William  
Rice, Kimberly  
Leishman, Peter  
Marston, Dick  
Notter, Jeanine  
Pellegrino, Anthony  
Sanborn, Laurie  
Stepanek, Stephen  
Vann, Ivy

**MERRIMACK**

Turcotte, Alan  
Carson, Clyde  
Hill, Gregory  
Kenison, Linda  
Martin, John  
Rogers, Katherine

Alicea, Caroletta  
Long, Douglas  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Saunderson, George

Brewster, Michael  
Gile, Mary  
Frazer, June  
Kuch, Bill  
Patten, Dick  
Wheeler, Deborah

Rice, Chip  
French, Harold  
Karrick, David  
Luneau, David  
Ratzki, Mario

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Duarte, Joe  
Ward, Gerald  
Harris, Jeffrey  
Katsakiores, Phyllis  
McMahon, Charles  
True, Chris  
Woitkun, Steven

Barnes, Arthur  
Cook, Allen  
Devine, James  
Edgar, Michael  
Gannon, William  
Introne, Robert  
Lovejoy, Patricia  
Milz, David  
Vose, Michael

Cahill, Michael  
Cushing, Robert  
DiFranco, Debbie  
Elliott, Robert  
Green, Dennis  
Itse, Daniel  
Griffin, Mary  
Peckham, Michele  
Webb, James

Cali-Pitts, Jacqueline  
Thomas, Douglas  
Doucette, Fred  
Friel, William  
Guthrie, Joseph  
Kappler, Lawrence  
Manning, John  
Potucek, John  
Welch, David

**STRAFFORD**

Beaudoin, Steven  
Cilley, Jacalyn  
Graham, Robert  
Jones, Laura  
Sprague, Dale

Berube, Roger  
DeLemus, Susan  
Groen, Warren  
Knowles, Robert  
Stevens, Audrey

Burton, Wayne  
DiSesa, Len  
Hannon, Joseph  
Pitre, Joseph  
Wall, Janet

Cheney, Catherine  
Gardner, Janice  
Horrigan, Timothy  
Rollo, Deanna

## SULLIVAN

Cloutier, John  
Laware, Thomas  
and the motion failed.

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Rollins, Skip

Grenier, James  
Smith, Steven

**COMMITTEE OF CONFERENCE REPORT ON SB 466-FN**

Committee of Conference Report on SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case.

**Recommendation:**

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. Amend 2015, 276:205 to read as follows:

276:205 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by [~~\$1,721,861~~] **\$700,000** for the fiscal year ending June 30, 2016, and by [~~\$3,496,746~~] **\$1,700,000** for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed [~~\$10,100,000~~] **\$11,800,000** for the fiscal year ending June 30, 2017. ***The department shall lapse an additional \$1,850,000 in state general fund appropriations for the fiscal year ending June 30, 2017, which shall be in addition to any previously required or estimated lapse for said fiscal year.***

5 Department of Health and Human Services; Reduction in Appropriation to the Sununu Youth Services Center; Reporting Requirement. On or before August 5, 2016, the department of health and human services shall submit for approval by the fiscal committee of the general court, a plan to reduce general fund appropriations to the Sununu youth services center as required by section 4 of this act. The department shall provide the committee with a status report relative to implementation of the budget reduction every 3 months thereafter. The plan shall include a proposal to achieve 1/2 of the budget reduction for fiscal year 2017 no later than January 1, 2017. If the department does not achieve 1/2 of the budget reduction for fiscal year 2017 by January 1, 2017, the department of health and human service's authority to transfer funds within and among accounting units of the department provided in 2015, 276:143 shall be suspended for the remainder of the biennium.

6 Youth Development Services; Admission; Discharge from Youth Services Center Detention Risk Assessment Instrument. Amend RSA 621-A:6 to read as follows:

621-A:6 Admission.

***I. Children, subject to proceedings in juvenile court, may be admitted to the youth services center for temporary detention while awaiting disposition of the court pursuant to RSA 169-B:14, for educational services pursuant to RSA 186-C, RSA 169-B, RSA 169-C, or RSA 169-D, only upon prior approval of the commissioner.***

***II. Prior to a child's detention at the youth services center, the department or an arresting law enforcement agency shall complete a detention risk assessment instrument to determine whether there is:***

***(a) Probable cause to believe that the child will pose a risk to public safety if released to the community prior to the court hearing or disposition; or***

***(b) A need to hold the child in order to assure the child's appearance before the court, as demonstrated by the child's previous failure to respond to the court.***

***III. The department shall review and submit a monthly report to the general court on those cases, also known as "overrides", in which children are confined at the Sununu youth services center contrary to the results of the detention risk assessment instrument. Beginning with the fourth such report, the department shall include recommendations for the appropriate rate of overrides.***

7 Effective Date.

I. Sections 1-3 of this act shall take effect July 1, 2016.

**II. The remainder of this act shall take effect June 30, 2016.**

The signatures below attest to the authenticity of this Report on SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case.

Conferees on the Part of the Senate

Sen. Forrester, Dist. 2

Sen. Little, Dist. 8

Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Gargas, Hills. 27

Rep. Kurk, Hills. 2

Rep. Barry, Hills. 21

Rep. Berrien, Rock. 18

**AMENDED ANALYSIS**

This bill:

I. Provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center.

II. Permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.

III. Revises the reduction in appropriation required for the Sununu youth services center and the department of health and human services as a whole.

IV. Requires the department of health and human services to consider a detention risk assessment instrument to determine whether a child should be held at the youth services center pending adjudication.

Rep. Gargas moved that the House adopt the Committee of Conference Report.

Motion adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 471-FN**

Committee of Conference Report on SB 471-FN, relative to parking for persons with disabilities.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on SB 471-FN, relative to parking for persons with disabilities.

Conferees on the Part of the Senate

Sen. Stiles, Dist. 24

Sen. Birdsell, Dist. 19

Sen. Watters, Dist. 4

Conferees on the Part of the House

Rep. Steven Smith, Sull. 11

Rep. Thomas Walsh, Merr. 24

Rep. Packard, Rock. 5

Rep. Ford, Graf. 3

Rep. Steven Smith moved that the House adopt the Committee of Conference Report.

Motion adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 485-FN-A**

Committee of Conference Report on SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 13 with the following:

13 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public. The meetings shall occur prior to the fiscal committee acting on the options.

Amend the bill by inserting after section 14 the following and renumbering the original section 15 to read as 16:

15 Appropriation and Charge; Department of Administrative Services; Risk Management; Health Plan Costs. In addition to any other sums appropriated, the sum of \$360,000 is appropriated to the department of administrative services, risk management unit, for the biennium ending June 30, 2017 for state retiree health plan costs under RSA 21-I:30. Said appropriations shall be a charge against the following account:

<u>Accounting Unit</u>	<u>Class</u>	<u>Class Name</u>	<u>FY 2016</u>	<u>FY 2017</u>
02-10-10-1000-1880	049	Transfer to Other State Agencies	(\$180,000)	(\$180,000)

The signatures below attest to the authenticity of this Report on SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

Conferees on the Part of the Senate

Sen. Forrester, Dist. 2

Sen. Little, Dist. 8

Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Kurk, Hills. 2

Rep. Lynne Ober, Hills. 37

Rep. Hinch, Hills. 21

Rep. Chandler, Carr. 1

Rep. Kurk moved that the House adopt the Committee of Conference Report.

On a division vote, with 159 members having voted in the affirmative, and 160 in the negative, the Committee of Conference Report failed.

### **MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. William O'Brien moved that the House reconsider its action whereby, on a division vote of 159-160, the House failed to adopt the Committee of Conference Report on **SB 485-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Rep. William O'Brien spoke against.

Rep. Bouldin spoke against and yielded to questions.

Reps. Kurk and Lynne Ober spoke in favor and yielded to questions.

Rep. Kurk requested a roll call; sufficiently seconded.

### **YEAS 157 - NAYS 187**

#### **YEAS - 157**

##### **BELKNAP**

Dumais, Russell  
Gallagher, Brian

Tilton, Franklin  
Hurt, George

Fields, Dennis  
Fraser, Valerie

Flanders, Donald  
Vadney, Herbert

##### **CARROLL**

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

##### **CHESHIRE**

Ames, Richard  
Roberts, Kris  
Sterling, Franklin

Eaton, Daniel  
Parkhurst, Henry

Emerson, Susan  
Sad, Tara

Hunt, John  
Shepardson, Marjorie

##### **COOS**

Fothergill, John

Richardson, Herbert

Tholl, John

Thomas, Yvonne

##### **GRAFTON**

Bailey, Brad  
Ladd, Rick

Bennett, Travis

Cooney, Mary

Darrow, Stephen

**HILLSBOROUGH**

Griffin, Barbara  
 Beaulieu, Jane  
 Christensen, Chris  
 Flanagan, Jack  
 Haefner, Robert  
 Hinch, Richard  
 Katsiantonis, Thomas  
 LeBrun, Donald  
 Pellegrino, Anthony  
 Rouillard, Claire  
 Snow, Kendall

Backus, Robert  
 Biggie, Barbara  
 Roberts, Carol  
 Gagne, Larry  
 Halstead, Carolyn  
 Hopper, Gary  
 Kurk, Neal  
 Murotake, David  
 Pierce, David  
 Rowe, Robert  
 Takesian, Charlene

Balcom, John  
 Booras, Efstathia  
 Cohen, Alan  
 Gargas, Carolyn  
 Heath, Mary  
 Belanger, James  
 Christiansen, Lars  
 McCarthy, Peggy  
 Proulx, Mark  
 Sanborn, Laurie  
 Twombly, Timothy

Barry, Richard  
 Byron, Frank  
 Danielson, David  
 Gidge, Kenneth  
 Herbert, Christopher  
 Rice, Kimberly  
 Ober, Lynne  
 Palmer, Barry  
 Ober, Russell  
 Seidel, Carl  
 Wolf, Terry

**MERRIMACK**

French, Barbara  
 Gile, Mary  
 Kidder, David  
 Wheeler, Deborah

McGuire, Carol  
 Henle, Paul  
 Kotowski, Frank

Rice, Chip  
 Hess, David  
 Martin, John

Ebel, Karen  
 Horn, Werner  
 Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
 Cahill, Michael  
 Thomas, Douglas  
 Doucette, Fred  
 Ferrante, Beverly  
 Green, Dennis  
 Sweeney, Joe  
 Griffin, Mary  
 McKinney, Betsy  
 O'Connor, John  
 Potucek, John  
 Sytek, John  
 Woitkun, Steven

Abrami, Patrick  
 Cardon, G. Thomas  
 Dean-Bailey, Yvonne  
 Elliott, Robert  
 Fesh, Robert  
 Guthrie, Joseph  
 Ward, Joanne  
 Major, Norman  
 McMahon, Charles  
 Packard, Sherman  
 Belanger, Ronald  
 Webb, James

Azarian, Gary  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Francese, Paula  
 Hagan, Joseph  
 Katsakiores, Phyllis  
 Manning, John  
 Milz, David  
 Pantelakos, Laura  
 Tilton, Rio  
 Welch, David

Barnes, Arthur  
 Cook, Allen  
 Devine, James  
 Rice, Frederick  
 Friel, William  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 Matthews, Carolyn  
 Nigrello, Robert  
 Peckham, Michele  
 Sherman, Thomas  
 Weyler, Kenneth

**STRAFFORD**

Berube, Roger  
 Gray, James  
 Verschueren, James

Bickford, David  
 Knowles, Robert  
 Wall, Janet

Cheney, Catherine  
 Mullen, John

Gardner, Janice  
 Treleaven, Susan

**SULLIVAN**

Schmidt, Andrew  
 Smith, Steven

Gottling, Suzanne

Grenier, James

Laware, Thomas

**NAYS - 187****BELKNAP**

Aldrich, Glen  
 Varney, Peter

Howard, Raymond

Spanos, Peter

Sylvia, Michael

**CARROLL**

Avellani, Lino

Comeau, Ed

McCarthy, Frank

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
 Chase, Cynthia  
 McConnell, James  
 Weber, Lucy

Tilton, Benjamin  
 Johnsen, Gladys  
 Phillips, Larry

Berch, Paul  
 Ley, Douglas  
 Robertson, Timothy

Bordenet, John  
 Mann, John  
 Tatso, Bruce

**COOS**

Forburg, Alethea  
Theberge, Robert

Hatch, William

Moynihan, Wayne

Rideout, Leon

**GRAFTON**

Almy, Susan  
Gionet, Edmond  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

Hennessey, Erin  
Higgins, Patricia  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Johnson, Eric  
Hull, Robert  
Massimilla, Linda  
Smith, Suzanne

Ford, Susan  
Ingbretson, Paul  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Adams, Christopher  
Bouldin, Amanda  
Donovan, Daniel  
Estevez, Eric  
Smith, Gregory  
Guerette, C. Lee  
Infantine, William  
Leishman, Peter  
Marston, Dick  
Moore, Josh  
Brown, Pamela  
Christie, Rick  
Shaw, Barbara  
Ulery, Jordan  
Woodbury, David

Ammon, Keith  
Burt, John  
Eastman, Eric  
Ferreira, Elizabeth  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
O'Brien, Michael  
Martel, Andre  
Murphy, Keith  
Long, Patrick  
Walsh, Robert  
Simmons, Tammy  
Vann, Ivy  
Zaricki, Nick

Baroody, Benjamin  
Cote, David  
Edelblut, Frank  
Freitas, Mary  
Gorman, Mary  
Harvey, Suzanne  
Judy, Jean  
Mangipudi, Latha  
McLean, Mark  
Notter, Jeanine  
Peterson, Ken  
Rosenwald, Cindy  
Souza, Kathleen  
O'Brien, William

Boehm, Ralph  
DiSilvestro, Linda  
Edwards, Elizabeth  
Fromuth, Bart  
Gould, Linda  
Hogan, Edith  
Lachance, Joseph  
Manley, Jonathan  
McNamara, Richard  
Ohm, Bill  
Porter, Marjorie  
Shattuck, Gilman  
Stepanek, Stephen  
Williams, Kermit

**MERRIMACK**

Turcotte, Alan  
Carson, Clyde  
French, Harold  
Frazer, June  
Luneau, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Alicea, Caroletta  
Long, Douglas  
Hill, Gregory  
Karrick, David  
MacKay, James  
Patten, Dick  
Schuett, Dianne

Bartlett, Christy  
McGuire, Dan  
Hirsch, Geoffrey  
Kenison, Linda  
Marple, Richard  
Ratzki, Mario  
Seaworth, Brian

Brewster, Michael  
Doherty, David  
Hoell, J.R.  
Kuch, Bill  
Moffett, Howard  
Rogers, Katherine  
Shurtleff, Stephen

**ROCKINGHAM**

Abramson, Max  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Heffron, Frank  
Lundgren, David  
Schroader, Adam

Bates, David  
Cushing, Robert  
Ward, Gerald  
Introne, Robert  
McBeath, Rebecca  
Simpson, Alexis

Berrien, Skip  
DiFranco, Debbie  
Gannon, William  
Itse, Daniel  
Osborne, Jason  
True, Chris

Borden, David  
Duarte, Joe  
Harris, Jeffrey  
Kappler, Lawrence  
Prudhomme-O'Brien, Katherine  
Vose, Michael

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Groen, Warren  
Kaczynski, Thomas  
Schmidt, Peter  
Spang, Judith

Beaudoin, Steven  
DeLemus, Susan  
Hannon, Joseph  
Kaen, Naida  
Pitre, Joseph  
Sprague, Dale

Bixby, Peter  
DiSesa, Len  
Horrigan, Timothy  
Turcotte, Leonard  
Rollo, Deanna  
Stevens, Audrey

Burton, Wayne  
Graham, Robert  
Jones, Laura  
Smith, Marjorie  
Southworth, Thomas  
Wuelper, Kurt

**SULLIVAN**

Cloutier, John  
O'Hearne, Andrew  
and the motion failed.

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Rollins, Skip

Irwin, Virginia



## COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS (CONT'D)

### COMMITTEE OF CONFERENCE REPORT ON SB 495-FN-A

Committee of Conference Report on SB 495-FN-A, relative to state retiree health plan costs and funding.  
Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Liquor Licenses and Fees; Definition of Cigar Bar. Amend RSA 178:20-a, II(d) to read as follows:

(d) Does not allow cigarette smoking or ~~[service of]~~ food *to be sold* on the premises.

2 Effective Date. This act shall take effect 60 days after its passage.

The signatures below attest to the authenticity of this Report on SB 495-FN-A, relative to state retiree health plan costs and funding.

Conferees on the Part of the Senate

Sen. Forrester, Dist. 2

Sen. Little, Dist. 8

Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Kurk, Hills. 2

Rep. Lynne Ober, Hills. 37

Rep. Hinch, Hills. 21

Rep. Rosenwald, Hills. 30

### AMENDED ANALYSIS

This bill prohibits the sale of food in a cigar bar licensed by the liquor commission.

Rep. Kurk moved that the House adopt the Committee of Conference Report.

Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 496-FN

Committee of Conference Report on SB 496-FN, relative to personal care attendant services.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 161-E:2 as inserted by section 2 of the bill by replacing it with the following:

161-E:2 Services Provided. The commissioner of the department of health and human services shall develop a program under which severely physically disabled persons eligible for coverage under medical assistance programs are provided with personal care attendants to provide ~~[on a periodic basis]~~ medically ~~[oriented]~~ *necessary* long-term maintenance and supportive care to assist them, as is required in each individual case, to maintain themselves in their homes and gain greater control over their own lives. *Personal care services under this chapter may be delivered in noninstitutional locations in which normal life activities occur.*

The signatures below attest to the authenticity of this Report on SB 496-FN, relative to personal care attendant services.

Conferees on the Part of the Senate

Sen. Sanborn, Dist. 9

Sen. Avard, Dist. 12

Sen. Fuller Clark, Dist. 21

Conferees on the Part of the House

Rep. McMahon, Rock. 7

Rep. Sherman, Rock. 24

Rep. Weber, Ches. 1

Rep. LeBrun, Hills. 32

Rep. McMahon moved that the House adopt the Committee of Conference Report.

Motion adopted.

### INTRODUCTION OF SPECIAL GUEST

The Honorable Kevin Ryan, Deputy Speaker of the Connecticut House of Representatives, joined the Speaker on the rostrum.

## COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS (CONT'D)

### COMMITTEE OF CONFERENCE REPORT ON SB 498-FN

Committee of Conference Report on SB 498-FN, relative to penalties for possession of certain controlled drugs.

**Recommendation:**

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as passed by the Senate, and pass the bill as so amended:

Amend RSA 318-B:26, XIII as inserted by section 3 of the bill by replacing it with the following:

XIII. Any person who violates any provision of this chapter shall be fined a minimum of \$350 for a first offense and \$500 for a second or subsequent offense, *except that any person who violates the provisions of RSA 318-B:26, II(d) or RSA 318-B:26, II(e) shall be fined \$350.*

The signatures below attest to the authenticity of this Report on SB 498-FN, relative to penalties for possession of certain controlled drugs.

Conferees on the Part of the Senate

Sen. Carson, Dist. 14

Sen. Forrester, Dist. 2

Sen. Hosmer, Dist. 7

Conferees on the Part of the House

Rep. Welch, Rock. 13

Rep. DiSesa, Straf. 16

Rep. Barnes, Rock. 8

Rep. Cushing, Rock. 21

Rep. Welch moved that the House adopt the Committee of Conference Report.

Rep. Welch spoke in favor.

Rep. Sylvia spoke against and requested a roll call; not sufficiently seconded.

Motion adopted.

### **COMMITTEE OF CONFERENCE REPORT ON SB 522-FN-A**

Committee of Conference Report on SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

**Recommendation:**

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. The sum of \$130,000 is hereby appropriated to the office of professional licensure and certification for the biennium ending June 30, 2017 for the purposes of technology upgrades for the controlled drug prescription health and safety program, established in RSA 318-B:32. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 New Section; Property Subject to Forfeiture. Amend RSA 617 by inserting after section 1 the following new section:

617:1-a Criminal Forfeiture; Property Subject to Forfeiture.

I. Subsequent to a criminal conviction pursuant to a statute that authorizes forfeiture, including but not limited to RSA 318-B:17-b, the court may order the person convicted to forfeit:

(a) Property the person derived from the commission of the crime;

(b) Property directly traceable to property derived from the commission of the crime; and

(c) Instrumentalities the person used in the commission of the crime.

II. When a conviction or agreement of the parties is not possible due to the person's death, incompetence, unavailability, or not being within the jurisdiction of the court, or the person to be charged cannot be identified, forfeiture proceedings may be commenced.

III. Property may be forfeited if the state establishes that the property is forfeitable by clear and convincing evidence.

IV. Nothing in this section shall prevent property from being forfeited by plea agreement approved by the presiding criminal court or other agreement of the parties.

V. At the request of any party, the civil portion of the forfeiture proceeding may be stayed by the court.

3 New Section; Forfeiture; Innocent Owner. Amend RSA 617 by inserting after section 4 the following new section:

617:4-a Innocent Owner. In addition to any other remedy provided by law, any person claiming to be an innocent owner of property seized for purposes of forfeiture may petition the court, after 10 days from the date of seizure, for return of the property. No item or property interest shall be subject to forfeiture unless the alleged innocent owner thereof was a consenting party to the crime. This section shall not apply to property seized as evidence in a pending criminal investigation or prosecution.

4 New Section; Disposition of Unclaimed Property and Proceeds. Amend RSA 617 by inserting after section 10 the following new section:

617:11 Disposition of Property and Proceeds.

I. Notwithstanding any other provision of law, at any time when unclaimed property or contraband held for evidentiary purposes is no longer needed for that purpose, the court may order the state to deliver any unclaimed property, other than currency, to the commissioner of the department of administrative services, to deliver any currency to the state treasurer, and to destroy any contraband within 30 days.

II. If the forfeiture is granted, the court may order the state to deliver any currency to the state treasurer and any other property to the commissioner of the department of administrative services within 30 days. The commissioner of the department of administrative services shall dispose of the forfeited property at public auction.

III. Upon motion, the court may order that a portion of the currency seized or proceeds from public auction be used to pay reasonable nonpersonnel expenses of the seizure, storage, and maintenance of custody of any forfeited items.

IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the drug forfeiture fund.

5 Forfeiture of Items Used in Connection with Drug Offense. Amend RSA 318-B:17-b, II(e) to read as follows:

(e) The department of justice shall, within 60 days of the seizure, ~~[either] file a petition in the superior court having jurisdiction under this section [or seek administrative forfeiture pursuant to RSA 318-B:17-d].~~ If no such petition is filed ~~[or administrative procedure initiated]~~ within 60 days, the items or property interest seized shall be released or returned to the owners.

6 Disposition of Funds Obtained by the Attorney General; Reference to Administrative Forfeiture Removed. Amend RSA 7:6-e, III to read as follows:

III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, drug forfeiture funds as provided in RSA 318-B:17-b ~~[through RSA 318-B:17-d]~~ **and RSA 318-B:17-c**, fines or civil penalties authorized by state law as a result of enforcement actions taken by state agencies or the attorney general, and money received on behalf of a victim or the state as restitution.

7 Forfeiture of Items Used in Connection with Drug Offense; Reference Change. Amend the introductory paragraph of RSA 318-B:17-b, V to read as follows:

V. Final orders for forfeiture of property under this section ~~[or under RSA 318-B:17-d]~~ shall be implemented by the department of justice and shall provide for disposition of the items or property interests by the state in any manner not prohibited by law, including retention for official use by law enforcement or other public agencies or sale at public auction. The department of justice shall pay the reasonable expenses of the forfeiture proceeding, seizure, storage, maintenance of custody, advertising, court costs, and notice of sale from any money forfeited and from the proceeds of any sale or public auction of forfeited items. All outstanding recorded liens on said items or property interests seized shall be paid in full upon conclusion of the court proceedings from the proceeds of any sale or public auction of forfeited items. The balance remaining shall be distributed by the department of justice as follows:

8 Drug Forfeiture Fund; Reporting Requirement. Amend RSA 318-B:17-c, II to read as follows:

II. Law enforcement agencies may apply to the department of justice for grants from the forfeiture fund. Such grants shall be utilized exclusively for meeting expenses associated with drug related investigations. The attorney general shall report 60 days after the close of each fiscal year to the governor and council and to the fiscal committee of the general court a ~~[summary]~~ **detailed accounting** of the grants provided to law enforcement agencies under this paragraph **by agency, including the department of safety, and the amount forwarded to the department of health and human services,**

**bureau of drug and alcohol services**, for the preceding fiscal year. **The attorney general's report shall also include a detailed accounting of the costs of investigations, enforcement programs, and prosecutions paid under paragraph I.**

9 Repeal. RSA 318-B:17-d, relative to administrative forfeiture of items used in connection with drug offenses, is repealed.

10 Effective Date.

I. Sections 2-7 and 9 of this act shall take effect January 1, 2017.

II. The remainder of this act shall take effect upon its passage.

The signatures below attest to the authenticity of this Report on SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

Conferees on the Part of the Senate

Sen. Bradley, Dist. 3

Sen. Forrester, Dist. 2

Sen. Hosmer, Dist. 7

Conferees on the Part of the House

Rep. Lynne Ober, Hills. 37

Rep. Dan McGuire, Merr. 21

Rep. Rouillard, Hills. 6

Rep. Leishman, Hills. 24

### AMENDED ANALYSIS

This bill:

I. Makes an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

II. Limits forfeiture to cases in which, after a criminal conviction, the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime. The proceeds from forfeiture cases would continue to be deposited in the drug forfeiture fund.

III. Requires the attorney general to provide an annual, detailed accounting of grants and expenditures from the drug forfeiture fund.

Rep. Lynne Ober moved that the House adopt the Committee of Conference.

Motion adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 523-FN

Committee of Conference Report on SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

Conferees on the Part of the Senate

Sen. Bradley, Dist. 3

Sen. Sanborn, Dist. 9

Sen. Soucy, Dist. 18

Conferees on the Part of the House

Rep. Kotowski, Merr. 24

Rep. LeBrun, Hills. 32

Rep. Freitas, Hills. 14

Rep. Snow, Hills. 42

Rep. Kotowski moved that the House adopt the Committee of Conference Report.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 232 - NAYS 106**

**YEAS - 232**

**BELKNAP**

Fields, Dennis

Flanders, Donald

Hurt, George

**CARROLL**

Butler, Edward

McCarthy, Frank

Schmidt, Stephen

Chandler, Gene

McConkey, Mark

Ticehurst, Susan

Cordelli, Glenn

Nelson, Bill

Umberger, Karen

Crawford, Karel

Parker, Harold

**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Hunt, John
Roberts, Kris	Ley, Douglas	Mann, John	Parkhurst, Henry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

**COOS**

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Tholl, John	Thomas, Yvonne	

**GRAFTON**

Almy, Susan	Bailey, Brad	Cooney, Mary	Hennessey, Erin
Ford, Susan	Higgins, Patricia	Ladd, Rick	Hennessey, Martha
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Booras, Efstathia	Byron, Frank	Christensen, Chris
Roberts, Carol	Cohen, Alan	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Flanagan, Jack	Freitas, Mary
Smith, Gregory	Gagne, Larry	Gargas, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gould, Linda	Guerette, C. Lee	Haefner, Robert
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Hinch, Richard	Hogan, Edith	Hopper, Gary	Belanger, James
Jack, Martin	Jeady, Jean	Katsiantonis, Thomas	Kurk, Neal
Ober, Lynne	LeBrun, Donald	Leishman, Peter	O'Brien, Michael
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	Brown, Pamela
Long, Patrick	McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Walsh, Robert
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Takesian, Charlene	Twombly, Timothy	Vann, Ivy	Williams, Kermit
Wolf, Terry	Woodbury, David		

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
McGuire, Carol	Rice, Chip	Carson, Clyde	Doherty, David
Ebel, Karen	Gile, Mary	French, Harold	Henle, Paul
Hess, David	Hirsch, Geoffrey	Frazer, June	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Kuch, Bill
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Deborah	

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Azarian, Gary	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chirichiello, Brian	Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Doucette, Fred	Duarte, Joe
Edgar, Michael	Elliott, Robert	Rice, Frederick	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Friel, William	Ward, Gerald
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Heffron, Frank
Hoelzel, Kathleen	Sweeney, Joe	Ward, Joanne	Katsakiores, Phyllis
Lovejoy, Patricia	Griffin, Mary	Major, Norman	Matthews, Carolyn
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John

Packard, Sherman  
Tilton, Rio  
Webb, James

Pantelakos, Laura  
Sherman, Thomas  
Welch, David

Peckham, Michele  
Simpson, Alexis  
Weyler, Kenneth

Potucek, John  
Sytek, John

### STRAFFORD

Baber, William  
Burton, Wayne  
Gray, James  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
Cilley, Jacalyn  
Horrigan, Timothy  
Mullen, John  
Spang, Judith

Bickford, David  
DiSesa, Len  
Kaen, Naida  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Gardner, Janice  
Knowles, Robert  
Rollo, Deanna  
Verschueren, James

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne

Cloutier, John  
Grenier, James

Converse, Larry  
Oxenham, Lee

Gagnon, Raymond  
Smith, Steven

### NAYS - 106

#### BELKNAP

Aldrich, Glen  
Howard, Raymond  
Vadney, Herbert

Dumais, Russell  
Spanos, Peter  
Varney, Peter

Tilton, Franklin  
Sylvia, Michael

Gallagher, Brian  
Fraser, Valerie

### CARROLL

Avellani, Lino

Buco, Thomas

Comeau, Ed

### CHESHIRE

Tilton, Benjamin

Emerson, Susan

McConnell, James

Phillips, Larry

### COOS

Rideout, Leon

Theberge, Robert

### GRAFTON

Bennett, Travis  
Hull, Robert

Darrow, Stephen  
Ingbreton, Paul

Johnson, Eric  
Shackett, Jeffrey

Gionet, Edmond

### HILLSBOROUGH

Adams, Christopher  
Boehm, Ralph  
Edelblut, Frank  
Fromuth, Bart  
Christiansen, Lars  
Moore, Josh  
Proulx, Mark  
Souza, Kathleen  
Zaricki, Nick

Ammon, Keith  
Bouldin, Amanda  
Edwards, Elizabeth  
Gorman, Mary  
Marston, Dick  
Murotake, David  
Christie, Rick  
Stepanek, Stephen

Griffin, Barbara  
Burt, John  
Estevez, Eric  
Halstead, Carolyn  
Martel, Andre  
Murphy, Keith  
Ober, Russell  
Ulery, Jordan

Balcom, John  
Eastman, Eric  
Ferreira, Elizabeth  
Rice, Kimberly  
McLean, Mark  
Ohm, Bill  
Simmons, Tammy  
O'Brien, William

### MERRIMACK

Brewster, Michael  
Hoell, J.R.  
Patten, Dick

Long, Douglas  
Horn, Werner  
Seaworth, Brian

McGuire, Dan  
Marple, Richard

Hill, Gregory  
Martin, John

### ROCKINGHAM

Abramson, Max  
Thomas, Douglas  
Introne, Robert  
Manning, John  
Prudhomme-O'Brien, Katherine  
Vose, Michael

Barnes, Arthur  
Emerick, J. Tracy  
Itse, Daniel  
McBeath, Rebecca  
Gordon, Richard  
Woitkun, Steven

Bates, David  
Gannon, William  
Kappler, Lawrence  
McKinney, Betsy  
Schroadtter, Adam

Cook, Allen  
Green, Dennis  
Lundgren, David  
Osborne, Jason  
True, Chris

**STRAFFORD**

Cheney, Catherine  
Hannon, Joseph  
Pitre, Joseph

DeLemus, Susan  
Jones, Laura  
Treleven, Susan

Graham, Robert  
Kaczynski, Thomas  
Wuelper, Kurt

Groen, Warren  
Turcotte, Leonard

**SULLIVAN**

Irwin, Virginia

Laware, Thomas

O'Hearne, Andrew

Rollins, Skip

and the motion was adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 533-FN-A-L**

Committee of Conference Report on SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

**Recommendation:**

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend section 10 of the bill by replacing paragraph I with the following:

I. In addition to any other sums appropriated for fiscal year 2017, \$2,500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services. Additionally, \$2,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the appropriated funds are used for the purpose of funding supportive housing projects for persons with substance abuse disorders. The New Hampshire housing finance authority shall prepare a report on the status of projects funded, in whole or in part, by this appropriation to be delivered to the house health and human services and elderly affairs committee by December 31, 2017 and annually thereafter until the appropriated funds have been fully allocated.

Amend the bill by inserting after section 12 the following and renumbering the original section 13 to read as 15:

13 Department of Health and Human Services; Supplemental Appropriation; Bureau of Drug and Alcohol Services.

I. In addition to any other sums appropriated for fiscal year 2017, the sum of \$500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of health and human services, bureau of drug and alcohol services to support direct grants for the creation, initiation, expansion and/or operational costs for peer recovery support services. The sum appropriated shall be awarded within 150 days after the effective date of this section. For the purposes of funding said appropriations, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a and RSA 9:17-c. Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017.

II.(a) Existing and proposed peer recovery support services organizations shall be eligible to receive a grant, if the organization:

(1) Is registered with the association of recovery community organizations under the Faces and Voices of Recovery;

(2) Is accredited by, or will initiate the process of being accredited by the Council on Accreditation of Peer Recovery Support Services within 30 days of the governor and council approving the grant;

(3) Has an established relationship with a certified public accountant;

(4) Has a board of directors and has established bylaws; and

(5) Does not receive a grant through a facilitating organization.

(b) No more than one grant shall be awarded per regional public health network catchment area basis. The bureau shall forward information on selected grant recipients to the governor and council. No grant shall be awarded without the approval of the governor and council.

III. Organizations that receive a grant under this section or through a facilitating organization shall file semi-annual data submissions with the department of health and human services, to prove the effectiveness of recovery services based upon addiction wellness and recovery capital index scores, or a data system that demonstrates individual addiction wellness across a continuum of care, including measurements upon the 8 dimensions of wellness criteria, or any other comparable data system recognized by the department. The department shall to the extent practical determine the cost effectiveness of recovery services and shall report its findings to the president of the senate and the speaker of the house of representatives on an annual basis beginning in fiscal year 2018.

IV. No later than December 31, 2017, the bureau of drug and alcohol services shall report to the fiscal committee of the general court the number of grants awarded, which organizations received a grant, and the total number of individuals served as a result of said grants.

14 Department of Justice; Attorney Position. For the biennium ending June 30, 2017, the department of justice is authorized, subject to the approval of the fiscal committee of the general court and the governor and council, to accept gifts, grants, and donations for the purpose of funding an assistant attorney general dedicated to prosecuting drug cases. No general fund moneys shall be expended to fund this position.

The signatures below attest to the authenticity of this Report on SB 533-FN-A-LOCAL, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

Conferees on the Part of the Senate

Sen. Bradley, Dist. 3

Sen. Sanborn, Dist. 9

Sen. Woodburn, Dist. 1

Conferees on the Part of the House

Rep. Kotowski, Merr. 24

Rep. Kurk, Hills. 2

Rep. Snow, Hills. 42

Rep. MacKay, Merr. 14

### AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill makes supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services. The bill authorizes a new assistant attorney general position dedicated to prosecuting drug cases.

Rep. Kotowski moved that the House adopt the Committee of Conference Report.

Motion adopted.

### MOTION TO SUSPEND HOUSE RULES

Reps. Hunt and Carol McGuire moved that House Rules be so far suspended as to permit late drafting, introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee of a bill relative to brew pub licenses and if said bill passes, to allow immediate third reading.

Rep. Hunt spoke in favor.

On a division vote, with 253 members having voted in the affirmative, and 87 in the negative, the motion was adopted by the necessary two-thirds vote.

### RESOLUTION

Reps. Hunt and Carol McGuire offered the following: RESOLVED, that late introduction having been approved by a two-thirds vote of the House, House Bill numbered 1703 shall be by this resolution read a first and second time by the therein listed title.

Motion adopted.

### INTRODUCTION OF HOUSE BILL

#### First, second reading and referral

**HB 1703-FN**, relative to brew pub licenses.



**CONSIDERATION OF HOUSE BILL 1703-FN**

Rep. Hunt moved Ought to Pass and spoke in favor.

Rep. Weber requested a roll call; sufficiently seconded.

**YEAS 314 - NAYS 25**

**YEAS - 314****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Fraser, Valerie

Tilton, Franklin  
Howard, Raymond  
Vadney, Herbert

Fields, Dennis  
Hurt, George  
Varney, Peter

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Parker, Harold

Butler, Edward  
Crawford, Karel  
Schmidt, Stephen

Chandler, Gene  
McCarthy, Frank  
Ticehurst, Susan

Comeau, Ed  
McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johnsen, Gladys  
Mann, John  
Sad, Tara

Ames, Richard  
Chase, Cynthia  
Hunt, John  
McConnell, James  
Shepardson, Marjorie

Tilton, Benjamin  
Eaton, Daniel  
Roberts, Kris  
Phillips, Larry  
Sterling, Franklin

Berch, Paul  
Emerson, Susan  
Ley, Douglas  
Robertson, Timothy

**COOS**

Fothergill, John  
Richardson, Herbert  
Thomas, Yvonne

Froburg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

**GRAFTON**

Bailey, Brad  
Hennessey, Erin  
Hull, Robert  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Bennett, Travis  
Johnson, Eric  
Ingretson, Paul  
Massimilla, Linda  
Smith, Suzanne

Cooney, Mary  
Gionet, Edmond  
Ladd, Rick  
Nordgren, Sharon  
Sykes, George

Darrow, Stephen  
Higgins, Patricia  
Hennessey, Martha  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Adams, Christopher  
Balcom, John  
Biggie, Barbara  
Burt, John  
Cohen, Alan  
Donovan, Daniel  
Estevez, Eric  
Fromuth, Bart  
Gidge, Kenneth  
Guerette, C. Lee  
Harvey, Suzanne  
Hogan, Edith  
Jeudy, Jean  
Christiansen, Lars  
Manley, Jonathan  
McNamara, Richard  
Notter, Jeanine  
McCarthy, Peggy  
Pierce, David

Ammon, Keith  
Baroody, Benjamin  
Boehm, Ralph  
Byron, Frank  
Cote, David  
Eastman, Eric  
Ferreira, Elizabeth  
Smith, Gregory  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Hopper, Gary  
Rice, Kimberly  
Lachance, Joseph  
Marston, Dick  
Moore, Josh  
Ohm, Bill  
Palmer, Barry  
Proulx, Mark

Griffin, Barbara  
Barry, Richard  
Booras, Efstathia  
Christensen, Chris  
Danielson, David  
Edelblut, Frank  
Flanagan, Jack  
Gagne, Larry  
Gorman, Mary  
Halstead, Carolyn  
Herbert, Christopher  
Belanger, James  
Katsiantonis, Thomas  
LeBrun, Donald  
Martel, Andre  
Murotake, David  
Brown, Pamela  
Pellegrino, Anthony  
Christie, Rick

Backus, Robert  
Beaulieu, Jane  
Bouldin, Amanda  
Roberts, Carol  
DiSilvestro, Linda  
Edwards, Elizabeth  
Freitas, Mary  
Gargas, Carolyn  
Gould, Linda  
Hansberry, Daniel  
Hinch, Richard  
Jack, Martin  
Kurk, Neal  
O'Brien, Michael  
McLean, Mark  
Murphy, Keith  
Long, Patrick  
Peterson, Ken  
Ober, Russell

Walsh, Robert  
Seidel, Carl  
Snow, Kendall  
Twombly, Timothy  
Williams, Kermit

Rouillard, Claire  
Shattuck, Gilman  
Souza, Kathleen  
Ulery, Jordan  
Wolf, Terry

Rowe, Robert  
Shaw, Barbara  
Stepanek, Stephen  
Vann, Ivy  
Zaricki, Nick

Sanborn, Laurie  
Simmons, Tammy  
Takesian, Charlene  
O'Brien, William

### MERRIMACK

Turcotte, Alan  
Brewster, Michael  
Long, Douglas  
Gile, Mary  
Hill, Gregory  
Karrick, David  
Kuch, Bill  
Martin, John  
Ratzki, Mario  
Walsh, Thomas

Alicea, Caroletta  
McGuire, Carol  
McGuire, Dan  
French, Harold  
Hirsch, Geoffrey  
Kenison, Linda  
Luneau, David  
Moffett, Howard  
Saunderson, George  
Wallner, Mary Jane

French, Barbara  
Rice, Chip  
Doherty, David  
Henle, Paul  
Hoell, J.R.  
Kidder, David  
MacKay, James  
Myler, Mel  
Seaworth, Brian  
Wheeler, Deborah

Bartlett, Christy  
Carson, Clyde  
Ebel, Karen  
Hess, David  
Horn, Werner  
Kotowski, Frank  
Marple, Richard  
Patten, Dick  
Shurtleff, Stephen

### ROCKINGHAM

Christie, Andrew  
Barnes, Arthur  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Doucette, Fred  
Emerick, J. Tracy  
Francesca, Paula  
Guthrie, Joseph  
Hoelzel, Kathleen  
Ward, Joanne  
Lundgren, David  
Matthews, Carolyn  
Nigrello, Robert  
Pantelakos, Laura  
Gordon, Richard  
Simpson, Alexis  
Welch, David

Abrami, Patrick  
Berrien, Skip  
Cook, Allen  
DeSimone, Debra  
Duarte, Joe  
Rice, Frederick  
Friel, William  
Hagan, Joseph  
Introne, Robert  
Kappier, Lawrence  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Peckham, Michele  
Tilton, Rio  
Sytek, John  
Weyler, Kenneth

Abramson, Max  
Cahill, Michael  
Cushing, Robert  
Devine, James  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Harris, Jeffrey  
Itse, Daniel  
Katsakiores, Phyllis  
Major, Norman  
McMahon, Charles  
Osborne, Jason  
Potucek, John  
Schroadter, Adam  
Vose, Michael  
Woitkun, Steven

Azarian, Gary  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
DiFranco, Debbie  
Elliott, Robert  
Fesh, Robert  
Green, Dennis  
Heffron, Frank  
Sweeney, Joe  
Lovejoy, Patricia  
Manning, John  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sherman, Thomas  
Webb, James

### STRAFFORD

Baber, William  
Bixby, Peter  
DiSesa, Len  
Groen, Warren  
Kaen, Naida  
Pitre, Joseph  
Stevens, Audrey

Beaudoin, Steven  
Burton, Wayne  
Gardner, Janice  
Hannon, Joseph  
Knowles, Robert  
Rollo, Deanna  
Treleaven, Susan

Berube, Roger  
Cheney, Catherine  
Graham, Robert  
Jones, Laura  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Bickford, David  
Cilley, Jacalyn  
Gray, James  
Kaczynski, Thomas  
Mullen, John  
Spang, Judith  
Wuelper, Kurt

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
O'Hearne, Andrew

Cloutier, John  
Grenier, James  
Oxenham, Lee

Converse, Larry  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

### NAYS - 25

### CARROLL

Buco, Thomas

Nelson, Bill

Parkhurst, Henry

Tatro, Bruce

### CHESHIRE

Weber, Lucy

**GRAFTON**

Almy, Susan

Ford, Susan

**HILLSBOROUGH**

Ober, Lynne

Leishman, Peter

Mangipudi, Latha

Porter, Marjorie

Rosenwald, Cindy

Woodbury, David

**MERRIMACK**

Frazer, June

Rogers, Katherine

Schuett, Dianne

**ROCKINGHAM**

Bates, David

Borden, David

Chirichiello, Brian

Gannon, William

True, Chris

**STRAFFORD**

DeLemus, Susan

Horrigan, Timothy

Turcotte, Leonard

Schmidt, Peter

and the motion was adopted and ordered to third reading.

**RESOLUTION**

Rep. Hunt moved that House Bill 1703 be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time.

Motion adopted.

**Third Reading and Final Passage**

**HB 1703-FN**, relative to brew pub licenses.

**INTRODUCTION OF SPECIAL GUESTS**

The Sergeant-at-Arms introduced House and Joint staff.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Speaker Jasper be printed in the Permanent Journal. Without objection, the Speaker so ordered.

**REMARKS**

**Speaker Jasper:** I just thought it was appropriate that we take a few moments to thank our staff. They work so hard on our behalf. We keep them here many late nights. I know some of them have worked weekends, particularly during the budget season. They do a great job. On behalf of us, and we of course work on behalf of the people of New Hampshire, so that's what they do as well. I also think I would be remiss if I didn't thank the Senate staff, who works in cooperation with our staff, particularly the Chief of Staff, Kristy Merrill, who has done a great job working with our Chief of Staff this year. I think you have seen the results. We have had a smooth Session. Two years, really, doing a great job sometimes under some very difficult circumstances and we certainly owe them our thanks. They are truly the definition of public servants. Again, thank you all.

**SENATE MESSAGE****REFUSAL TO ADOPT COMMITTEE OF CONFERENCE REPORT**

**HB 1660-FN-L**, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

The House recessed at 12:15 p.m.

**RECESS**

The House reconvened at 1:15 p.m.

**(Speaker Jasper in the Chair)****MOTION TO SUSPEND HOUSE RULES**

Rep. Weber moved that House Rules be so far suspended as to permit late drafting, introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee of a bill relative to conversion therapy seeking to change a person's sexual orientation, and if said bill passes, to allow immediate third reading.

Reps. William O'Brien and Bates spoke against.

Rep. Weber spoke in favor.

The Speaker accepted the previous question and debate was limited.

Rep. Kappler requested a roll call; sufficiently seconded.

**YEAS 142 - NAYS 180**

**YEAS - 142****CARROLL**

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Chase, Cynthia

Eaton, Daniel

Johnsen, Gladys

Roberts, Kris

Ley, Douglas

Mann, John

Parkhurst, Henry

Phillips, Larry

Robertson, Timothy

Shepardson, Marjorie

Tatro, Bruce

Weber, Lucy

**COOS**

Fothergill, John

Frobург, Alethea

Hatch, William

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Almy, Susan

Bennett, Travis

Cooney, Mary

Ford, Susan

Higgins, Patricia

Hennessey, Martha

Maes, Kevin

Massimilla, Linda

Nordgren, Sharon

Smith, Suzanne

Sykes, George

Townsend, Charles

White, Andrew

**HILLSBOROUGH**

Backus, Robert

Beaulieu, Jane

Booras, Efstathia

Roberts, Carol

Cohen, Alan

Cote, David

Edwards, Elizabeth

Freitas, Mary

Fromuth, Bart

Gargas, Carolyn

Gidge, Kenneth

Goley, Jeffrey

Gorman, Mary

Guerette, C. Lee

Hansberry, Daniel

Harvey, Suzanne

Heath, Mary

Herbert, Christopher

Jack, Martin

Mangipudi, Latha

Manley, Jonathan

McNamara, Richard

Brown, Pamela

Long, Patrick

Porter, Marjorie

Walsh, Robert

Rosenwald, Cindy

Shattuck, Gilman

Shaw, Barbara

Snow, Kendall

Vann, Ivy

Williams, Kermit

Wolf, Terry

Woodbury, David

**MERRIMACK**

Turcotte, Alan

Alicea, Caroletta

French, Barbara

Bartlett, Christy

Rice, Chip

Carson, Clyde

Doherty, David

Ebel, Karen

Gile, Mary

Henle, Paul

Hirsch, Geoffrey

Frazer, June

Karrick, David

Kenison, Linda

Luneau, David

MacKay, James

Moffett, Howard

Myler, Mel

Patten, Dick

Ratzki, Mario

Rogers, Katherine

Saunderson, George

Schuett, Dianne

Shurtleff, Stephen

Wallner, Mary Jane

Wheeler, Deborah

**ROCKINGHAM**

Berrien, Skip

Borden, David

Cahill, Michael

Cali-Pitts, Jacqueline

Cardon, G. Thomas

Cushing, Robert

DiFranco, Debbie

Edgar, Michael

Francese, Paula  
Lovejoy, Patricia  
Schroadter, Adam

Ward, Gerald  
McBeath, Rebecca  
Sherman, Thomas

Heffron, Frank  
Pantelakos, Laura  
Simpson, Alexis

Sweeney, Joe  
Belanger, Ronald  
Sytek, John

### STRAFFORD

Baber, William  
Gardner, Janice  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Bixby, Peter  
Horrigan, Timothy  
Rollo, Deanna  
Stevens, Audrey

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Treleven, Susan

Cilley, Jacalyn  
Smith, Marjorie  
Spang, Judith  
Verschueren, James

### SULLIVAN

Schmidt, Andrew  
Irwin, Virginia

Cloutier, John  
O'Hearne, Andrew

Converse, Larry  
Oxenham, Lee

Gottling, Suzanne

### NAYS - 180

#### BELKNAP

Aldrich, Glen  
Flanders, Donald  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Fraser, Valerie

Tilton, Franklin  
Howard, Raymond  
Vadney, Herbert

Fields, Dennis  
Hurt, George  
Varney, Peter

### CARROLL

Avellani, Lino  
Cordelli, Glenn  
Parker, Harold

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

### CHESHIRE

Tilton, Benjamin  
Sterling, Franklin

Emerson, Susan

Hunt, John

McConnell, James

### COOS

Rideout, Leon

Tholl, John

### GRAFTON

Darrow, Stephen  
Ladd, Rick

Gionet, Edmond  
Piper, Wendy

Hull, Robert  
Shackett, Jeffrey

Ingbertson, Paul

### HILLSBOROUGH

Adams, Christopher  
Biggie, Barbara  
Christensen, Chris  
Estevez, Eric  
Gagne, Larry  
Hinch, Richard  
Judy, Jean  
Ober, Lynne  
Moore, Josh  
Ohm, Bill  
Peterson, Ken  
Rouillard, Claire  
Simmons, Tammy  
Twombly, Timothy

Griffin, Barbara  
Boehm, Ralph  
Danielson, David  
Ferreira, Elizabeth  
Gonzalez, Carlos  
Hogan, Edith  
Rice, Kimberly  
LeBrun, Donald  
Murotake, David  
McCarthy, Peggy  
Pierce, David  
Rowe, Robert  
Souza, Kathleen  
Ulery, Jordan

Balcom, John  
Burt, John  
Donovan, Daniel  
Flanagan, Jack  
Gould, Linda  
Hopper, Gary  
Kurk, Neal  
Leishman, Peter  
Murphy, Keith  
Palmer, Barry  
Christie, Rick  
Sanborn, Laurie  
Stepanek, Stephen  
O'Brien, William

Barry, Richard  
Byron, Frank  
Edelblut, Frank  
Smith, Gregory  
Halstead, Carolyn  
Belanger, James  
Christiansen, Lars  
McLean, Mark  
Natter, Jeanine  
Pellegrino, Anthony  
Ober, Russell  
Seidel, Carl  
Takesian, Charlene  
Zaricki, Nick

### MERRIMACK

Brewster, Michael  
Hess, David  
Kidder, David  
Martin, John

McGuire, Carol  
Hill, Gregory  
Kotowski, Frank  
Seaworth, Brian

McGuire, Dan  
Hoell, J.R.  
Kuch, Bill  
Walsh, Thomas

French, Harold  
Horn, Werner  
Marple, Richard

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Abramson, Max	Azarian, Gary
Barnes, Arthur	Bates, David	Chirichiello, Brian	Cook, Allen
Thomas, Douglas	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Rice, Frederick	Ferrante, Beverly	Fesh, Robert	Friel, William
Gannon, William	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Ward, Joanne
Kappler, Lawrence	Katsakiores, Phyllis	Lundgren, David	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Osborne, Jason
Packard, Sherman	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Gordon, Richard	Tilton, Rio	True, Chris	Vose, Michael
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven	Berube, Roger	Bickford, David	Cheney, Catherine
DeLemus, Susan	Graham, Robert	Gray, James	Groen, Warren
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard
Mullen, John	Pitre, Joseph	Wuelper, Kurt	

**SULLIVAN**

Gagnon, Raymond	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

and the motion failed lacking the necessary two-thirds vote.

**SENATE MESSAGES****ADOPTION OF COMMITTEE OF CONFERENCE REPORTS**

**HB 114**, establishing beer specialty licenses and relative to rectifiers.

**HB 280**, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans.

**HB 285**, relative to discussion with legal counsel under the right-to-know law.

**HB 353**, relative to the governance of condominium unit owners' associations.

**HB 427**, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1.

**HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee.

**HB 533**, relative to installation requirements for arc-fault circuit interrupters.

**HB 605-FN**, relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state.

**HB 606-FN-L**, relative to costs for public records filed electronically.

**HB 628-FN**, relative to indemnification of health care provider facilities under certain circumstances.

**HB 1193**, relative to the wellness and primary prevention council and relative to certification of school nurses.

**HB 1227**, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.

**HB 1301**, relative to the issuance of youth employment certificates.

**HB 1307**, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

**HB 1339**, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

**HB 1377**, relative to receipt of absentee ballots.

**HB 1396**, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.

**HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program.

**HB 1503**, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.

**HB 1547-FN**, prohibiting bestiality.

**HB 1584-FN**, relative to body-worn cameras for law enforcement officers.

**HB 1590-FN-A-L**, relative to taxation of short-term rentals.

**HB 1637-FN**, relative to school attendance in towns with no public schools.

**HB 1656-FN**, relative to exceptions to the real estate transfer tax.

**HB 1697-FN**, relative to the operation and insurance of transportation network companies.

**HB 2016**, relative to the state 10-year transportation improvement program.

### COMMITTEE OF CONFERENCE REPORTS ON HOUSE BILLS

**HB 114**, establishing beer specialty licenses and relative to rectifiers. (Report printed SJ 6/1/16)  
Rep. Hunt moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 280**, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans. (Report printed SJ 6/1/16)  
Rep. Steven Smith moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 285**, relative to discussion with legal counsel under the right-to-know law. (Report printed SJ 6/1/16)  
Rep. Hagan moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 353**, relative to the governance of condominium unit owners' associations. (Report printed SJ 6/1/16)  
Rep. Hunt moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 427**, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1. (Report printed SJ 6/1/16)  
Rep. Sytek moved that the House adopt the Committee of Conference Report and spoke in favor.  
Rep. Carol McGuire spoke against.  
Rep. Kappler requested a roll call; sufficiently seconded.

### YEAS 189 - NAYS 135

#### YEAS - 189

#### BELKNAP

Tilton, Franklin  
Varney, Peter

Fields, Dennis

Flanders, Donald

Hurt, George

#### CARROLL

McConkey, Mark

Parker, Harold

Schmidt, Stephen

Umberger, Karen

#### CHESHIRE

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Chase, Cynthia

Emerson, Susan

Johnsen, Gladys

Hunt, John

Roberts, Kris

Ley, Douglas

Phillips, Larry

Robertson, Timothy

Shepardson, Marjorie

Sterling, Franklin

Tatro, Bruce

Weber, Lucy

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ladd, Rick  
Piper, Wendy  
White, Andrew

Bennett, Travis  
Hennessey, Martha  
Smith, Suzanne

Ford, Susan  
Maes, Kevin  
Sykes, George

Higgins, Patricia  
Massimilla, Linda  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Byron, Frank  
Danielson, David  
Gorman, Mary  
Heath, Mary  
Judy, Jean  
Manley, Jonathan  
McCarthy, Peggy  
Pierce, David  
Rowe, Robert  
Takesian, Charlene  
Zaricki, Nick

Barry, Richard  
Robertson, Carol  
Freitas, Mary  
Guerette, C. Lee  
Herbert, Christopher  
LeBrun, Donald  
McNamara, Richard  
Palmer, Barry  
Porter, Marjorie  
Shattuck, Gilman  
Williams, Kermit

Biggie, Barbara  
Cohen, Alan  
Gargas, Carolyn  
Hansberry, Daniel  
Hinch, Richard  
Leishman, Peter  
Brown, Pamela  
Pellegrino, Anthony  
Walsh, Robert  
Shaw, Barbara  
Wolf, Terry

Booras, Efsthia  
Cote, David  
Goley, Jeffrey  
Harvey, Suzanne  
Jack, Martin  
Mangipudi, Latha  
Long, Patrick  
Peterson, Ken  
Rosenwald, Cindy  
Snow, Kendall  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Henle, Paul  
Karrick, David  
MacKay, James  
Saunderson, George  
Wallner, Mary Jane

French, Barbara  
Doherty, David  
Hess, David  
Kenison, Linda  
Moffett, Howard  
Schuett, Dianne

Bartlett, Christy  
Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Ratzki, Mario  
Shurtleff, Stephen

Rice, Chip  
Gile, Mary  
Frazer, June  
Luneau, David  
Rogers, Katherine  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Borden, David  
Dean-Bailey, Yvonne  
Doucette, Fred  
Fesh, Robert  
Hagan, Joseph  
Ward, Joanne  
Manning, John  
Miltz, David  
Pantelakos, Laura  
Sherman, Thomas  
Woitkun, Steven

Abrami, Patrick  
Cahill, Michael  
DeSimone, Debra  
Edgar, Michael  
Francese, Paula  
Heffron, Frank  
Katsakiores, Phyllis  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Simpson, Alexis

Azarian, Gary  
Chirichiello, Brian  
Devine, James  
Elliott, Robert  
Friel, William  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Belanger, Ronald  
Sytek, John

Berrien, Skip  
Cushing, Robert  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Sweeney, Joe  
Major, Norman  
McMahon, Charles  
Packard, Sherman  
Tilton, Rio  
Webb, James

**STRAFFORD**

Baber, William  
Burton, Wayne  
Horrigan, Timothy  
Spang, Judith  
Wall, Janet

Berube, Roger  
Cilley, Jacalyn  
Schmidt, Peter  
Stevens, Audrey

Bickford, David  
Gardner, Janice  
Rollo, Deanna  
Treleaven, Susan

Bixby, Peter  
Gray, James  
Southworth, Thomas  
Verschueren, James

**SULLIVAN**

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Rollins, Skip

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
O'Hearne, Andrew



**NAYS - 135**

**BELKNAP**

Aldrich, Glen  
Spanos, Peter

Dumais, Russell  
Fraser, Valerie

Gallagher, Brian  
Vadney, Herbert

Howard, Raymond

**CARROLL**

Avellani, Lino  
Cordelli, Glenn

Buco, Thomas  
McCarthy, Frank

Butler, Edward  
Nelson, Bill

Comeau, Ed  
Ticehurst, Susan

**CHESHIRE**

Tilton, Benjamin  
Parkhurst, Henry

Eaton, Daniel

Mann, John

McConnell, James

**COOS**

Rideout, Leon

**GRAFTON**

Cooney, Mary  
Ingbreton, Paul

Darrow, Stephen  
Nordgren, Sharon

Gionet, Edmond  
Shackett, Jeffrey

Hull, Robert

**HILLSBOROUGH**

Adams, Christopher  
Beaulieu, Jane  
Donovan, Daniel  
Estevez, Eric  
Smith, Gregory  
Gould, Linda  
Belanger, James  
Ober, Lynne  
Murphy, Keith  
Ober, Russell  
Simmons, Tammy  
Ulery, Jordan

Ammon, Keith  
Boehm, Ralph  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Halstead, Carolyn  
Rice, Kimberly  
McLean, Mark  
Notter, Jeanine  
Rouillard, Claire  
Souza, Kathleen  
Vann, Ivy

Griffin, Barbara  
Burt, John  
Edelblut, Frank  
Flanagan, Jack  
Gidge, Kenneth  
Hogan, Edith  
Kurk, Neal  
Moore, Josh  
Ohm, Bill  
Sanborn, Laurie  
Stepanek, Stephen  
O'Brien, William

Balcom, John  
Christensen, Chris  
Edwards, Elizabeth  
Fromuth, Bart  
Gonzalez, Carlos  
Hopper, Gary  
Christiansen, Lars  
Murotake, David  
Christie, Rick  
Seidel, Carl  
Twombly, Timothy

**MERRIMACK**

Turcotte, Alan  
French, Harold  
Kidder, David  
Myler, Mel

Brewster, Michael  
Hill, Gregory  
Kuch, Bill  
Patten, Dick

McGuire, Carol  
Hoell, J.R.  
Marple, Richard  
Seaworth, Brian

McGuire, Dan  
Horn, Werner  
Martin, John  
Wheeler, Deborah

**ROCKINGHAM**

Abramson, Max  
Cardon, G. Thomas  
Emerick, J. Tracy  
Harris, Jeffrey  
Lovejoy, Patricia  
Prudhomme-O'Brien, Katherine  
Vose, Michael

Barnes, Arthur  
Cook, Allen  
Rice, Frederick  
Introne, Robert  
Lundgren, David  
Gordon, Richard  
Welch, David

Bates, David  
Thomas, Douglas  
Gannon, William  
Itse, Daniel  
Osborne, Jason  
Schroadter, Adam  
Weyler, Kenneth

Cali-Pitts, Jacqueline  
Duarte, Joe  
Guthrie, Joseph  
Kappler, Lawrence  
Peckham, Michele  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Kaen, Naida  
Mullen, John

Cheney, Catherine  
Hannon, Joseph  
Knowles, Robert  
Pitre, Joseph

DeLemus, Susan  
Jones, Laura  
Turcotte, Leonard  
Sprague, Dale

Graham, Robert  
Kaczynski, Thomas  
Smith, Marjorie  
Wuelper, Kurt

**SULLIVAN**

Laware, Thomas  
and the motion was adopted.

**MOTION TO PRINT REMARKS**

Rep. Eaton moved that the remarks made by Rep. Sytek be printed in the Permanent Journal.  
Motion adopted.

**REMARKS**

**Representative Sytek:** Thank you, Mister Speaker. I listened attentively to the Representative from Epsom and she's quite correct in the fact that the effective date has been changed. The plain fact is that nobody is going to understand that Encyclopedia Britannica in 2018 or 2500. What we are entrusting, and it's a matter of trust, is our word from the Fire Marshal, who has not double-crossed me in my experience here, that the enforcement agencies, including testimonies from my own Fire Chief in Salem, are that these people are willing to work with the homeowners, with manufacturers, with builders. There are exceptions in place that they will continue. The life safety code, as was passed by this House on a voice vote on March 11. While the Representative have brought up a valid point, I don't think it has any practical merit and I think that New Hampshire wants to follow the most recent reasonable codes, be it the building code, the life safety code or the fire safety code. We are accepting the life. I'll recap the blurb. We are accepting the life safety code, the Senate is. They want to study the fire safety code and what we're going to do. If I am successful here, I'm going to spoil my summer I guess on this thing to study that. How do we study an Encyclopedia like this? We bring in representatives from the building trades, from enforcement, and we as a policy committee try to find out, are the jury, try to find out what is the right thing to do. There is no way that anyone here is going to study that code so having acknowledged and respecting the representative from Epsom's valid point. The fact is we've done this kind of thing before. This works and I ask you to support the Committee of Conference. Thank you, Mister Speaker.

**(Rep. Shurtleff in the Chair)****COMMITTEE OF CONFERENCE REPORTS ON HOUSE BILLS (CONT'D)**

**HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee.  
(Report printed SJ 6/1/16)

Rep. Hinch moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 533**, relative to installation requirements for arc-fault circuit interrupters. (Report printed SJ 6/1/16)

Rep. Andrew Christie moved that the House adopt the Committee of Conference Report.

On a division vote, with 302 members having voted in the affirmative, and 15 in the negative, the motion was adopted.

**HB 605-FN**, relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state.  
(Report printed SJ 6/1/16)

Rep. Tholl moved that the House adopt the Committee of Conference Report.

Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 311 - NAYS 7****YEAS - 311****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Fraser, Valerie

Tilton, Franklin  
Howard, Raymond  
Vadney, Herbert

Fields, Dennis  
Hurt, George  
Varney, Peter

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Schmidt, Stephen

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Johansen, Gladys  
McConnell, James  
Sterling, Franklin

Ames, Richard  
Chase, Cynthia  
Hunt, John  
Parkhurst, Henry  
Tatro, Bruce

Tilton, Benjamin  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Mann, John  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Richardson, Herbert  
Thomas, Yvonne

Froburg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

**GRAFTON**

Almy, Susan  
Ford, Susan  
Ingbreton, Paul  
Nordgren, Sharon  
Sykes, George

Bennett, Travis  
Gionet, Edmond  
Ladd, Rick  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Maes, Kevin  
Shackett, Jeffrey  
White, Andrew

Darrow, Stephen  
Hull, Robert  
Massimilla, Linda  
Smith, Suzanne

**HILLSBOROUGH**

Adams, Christopher  
Balcom, John  
Biggie, Barbara  
Byron, Frank  
Cote, David  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
Jack, Martin  
Ober, Lynne  
Mangipudi, Latha  
Murotake, David  
Brown, Pamela  
Peterson, Ken  
Ober, Russell  
Rowe, Robert  
Shaw, Barbara  
Takesian, Charlene  
O'Brien, William  
Zaricki, Nick

Ammon, Keith  
Baroody, Benjamin  
Boehm, Ralph  
Christensen, Chris  
Danielson, David  
Edelblut, Frank  
Freitas, Mary  
Gargas, Carolyn  
Gould, Linda  
Harvey, Suzanne  
Hogan, Edith  
Judy, Jean  
LeBrun, Donald  
Manley, Jonathan  
Murphy, Keith  
Long, Patrick  
Pierce, David  
Walsh, Robert  
Sanborn, Laurie  
Simmons, Tammy  
Twombly, Timothy  
Williams, Kermit

Griffin, Barbara  
Barry, Richard  
Booras, Efstathia  
Roberts, Carol  
DiSilvestro, Linda  
Edwards, Elizabeth  
Fromuth, Bart  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Hopper, Gary  
Rice, Kimberly  
Leishman, Peter  
McLean, Mark  
Notter, Jeanine  
McCarthy, Peggy  
Porter, Marjorie  
Rosenwald, Cindy  
Seidel, Carl  
Snow, Kendall  
Ulery, Jordan  
Wolf, Terry

Backus, Robert  
Beaulieu, Jane  
Burt, John  
Cohen, Alan  
Donovan, Daniel  
Estevez, Eric  
Smith, Gregory  
Gonzalez, Carlos  
Halstead, Carolyn  
Herbert, Christopher  
Belanger, James  
Kurk, Neal  
O'Brien, Michael  
Moore, Josh  
Ohm, Bill  
Pellegrino, Anthony  
Christie, Rick  
Rouillard, Claire  
Shattuck, Gilman  
Souza, Kathleen  
Vann, Ivy  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Brewster, Michael  
McGuire, Dan  
French, Harold  
Hirsch, Geoffrey  
Karrick, David  
Kuch, Bill  
Martin, John  
Ratzki, Mario  
Seaworth, Brian

Alicea, Caroletta  
McGuire, Carol  
Doherty, David  
Henle, Paul  
Hoell, J.R.  
Kenison, Linda  
Luneau, David  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

French, Barbara  
Rice, Chip  
Ebel, Karen  
Hess, David  
Horn, Werner  
Kidder, David  
MacKay, James  
Myler, Mel  
Saunders, George  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Gile, Mary  
Hill, Gregory  
Frazer, June  
Kotowski, Frank  
Marple, Richard  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Abramson, Max	Azarian, Gary
Barnes, Arthur	Bates, David	Berrien, Skip	Borden, David
Cahill, Michael	Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen
Cushing, Robert	Thomas, Douglas	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Doucette, Fred	Duarte, Joe
Edgar, Michael	Elliott, Robert	Emerick, J. Tracy	Rice, Frederick
Ferrante, Beverly	Fesh, Robert	Francesse, Paula	Friel, William
Ward, Gerald	Gannon, William	Guthrie, Joseph	Hagan, Joseph
Harris, Jeffrey	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Katsakiores, Phyllis	Lovejoy, Patricia	Lundgren, David	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McBeath, Rebecca
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Pantelakos, Laura	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Belanger, Ronald	Gordon, Richard
Tilton, Rio	Schroadter, Adam	Sherman, Thomas	Simpson, Alexis
Sytek, John	True, Chris	Vose, Michael	Welch, David
Weyler, Kenneth	Woitkun, Steven		

**STRAFFORD**

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Bixby, Peter	Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	Gardner, Janice	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Horrigan, Timothy	Jones, Laura
Kaczynski, Thomas	Kaen, Naida	Knowles, Robert	Turcotte, Leonard
Smith, Marjorie	Mullen, John	Schmidt, Peter	Pitre, Joseph
Rollo, Deanna	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Wuelper, Kurt

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Smith, Steven	

**NAYS - 7****CARROLL**

Butler, Edward	Ticehurst, Susan
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**CHESHIRE**

Phillips, Larry
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**HILLSBOROUGH**

Christiansen, Lars	Palmer, Barry
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**ROCKINGHAM**

Cali-Pitts, Jacqueline
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**SULLIVAN**

Converse, Larry  
and the motion was adopted.

**HB 606-FN-L**, relative to costs for public records filed electronically. (Report printed SJ 6/1/16)  
Rep. Hagan moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 628-FN**, relative to indemnification of health care provider facilities under certain circumstances.  
(Report printed SJ 6/1/16)

Rep. Fothergill moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 1193**, relative to the wellness and primary prevention council and relative to certification of school nurses. (Report printed SJ 6/1/16)

Rep. LeBrun moved that the House adopt the Committee of Conference Report.

Rep. Kappler requested a roll call; sufficiently seconded.

## YEAS 182 - NAYS 131

### YEAS - 182

#### BELKNAP

Tilton, Franklin	Fields, Dennis	Flanders, Donald
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#### CARROLL

Buco, Thomas	Butler, Edward	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Hunt, John	Mann, John	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

#### COOS

Fothergill, John	Frobург, Alethea	Hatch, William	Moynihan, Wayne
Tholl, John	Thomas, Yvonne		

#### GRAFTON

Almy, Susan	Bennett, Travis	Cooney, Mary	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

#### HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Biggie, Barbara	Booras, Efstathia	Roberts, Carol	Cohen, Alan
Cote, David	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Freitas, Mary	Gagne, Larry	Gargas, Carolyn	Gidge, Kenneth
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Jack, Martin	Judy, Jean
LeBrun, Donald	Leishman, Peter	O'Brien, Michael	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Brown, Pamela	Long, Patrick
McCarthy, Peggy	Palmer, Barry	Peterson, Ken	Pierce, David
Porter, Marjorie	Walsh, Robert	Rosenwald, Cindy	Rowe, Robert
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Takesian, Charlene	Vann, Ivy	Williams, Kermit	Wolf, Terry
Woodbury, David			

#### MERRIMACK

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Rice, Chip	Carson, Clyde	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Frazer, June	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Luneau, David	MacKay, James	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schueett, Dianne	Walner, Mary Jane		

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Azarian, Gary	Berrien, Skip
Borden, David	Cahill, Michael	Cushing, Robert	DeSimone, Debra
Devine, James	DiFranco, Debbie	Edgar, Michael	Elliott, Robert
Fesh, Robert	Francesse, Paula	Friel, William	Ward, Gerald
Gannon, William	Guthrie, Joseph	Hagan, Joseph	Heffron, Frank
Hoelzel, Kathleen	Sweeney, Joe	Griffin, Mary	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Pantelakos, Laura	Belanger, Ronald
Tilton, Rio	Sherman, Thomas	Webb, James	Welch, David

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Gray, James	Horrigan, Timothy
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet		

**SULLIVAN**

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Smith, Steven

**NAYS - 131****BELKNAP**

Aldrich, Glen	Dumais, Russell	Gallagher, Brian	Howard, Raymond
Hurt, George	Spanos, Peter	Fraser, Valerie	Vadney, Herbert
Varney, Peter			

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark			

**CHESHIRE**

Tilton, Benjamin	Ley, Douglas	McConnell, James	Parkhurst, Henry
Sterling, Franklin			

**COOS**

Richardson, Herbert	Rideout, Leon	Theberge, Robert
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**GRAFTON**

Darrow, Stephen	Hull, Robert	Ingbertson, Paul	Ladd, Rick
Piper, Wendy			

**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Beaulieu, Jane
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Smith, Gregory	Gonzalez, Carlos
Gorman, Mary	Gould, Linda	Haefner, Robert	Halstead, Carolyn
Hogan, Edith	Hopper, Gary	Belanger, James	Rice, Kimberly
Kurk, Neal	Ober, Lynne	McLean, Mark	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Pellegrino, Anthony
Christie, Rick	Ober, Russell	Rouillard, Claire	Sanborn, Laurie
Simmons, Tammy	Souza, Kathleen	Twombly, Timothy	Ulery, Jordan
O'Brien, William	Zaricki, Nick		

**MERRIMACK**

Brewster, Michael	McGuire, Carol	McGuire, Dan	French, Harold
Hill, Gregory	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	Seaworth, Brian	Wheeler, Deborah

**ROCKINGHAM**

Abramson, Max	Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cook, Allen	Thomas, Douglas	Duarte, Joe
Emerick, J. Tracy	Rice, Frederick	Ferrante, Beverly	Harris, Jeffrey
Introne, Robert	Itse, Daniel	Ward, Joanne	Kappler, Lawrence
Katsakiores, Phyllis	Lovejoy, Patricia	Lundgren, David	Manning, John
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Gordon, Richard	Schroadter, Adam	Sytek, John
True, Chris	Vose, Michael	Weyler, Kenneth	Woitkun, Steven

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan
Graham, Robert	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Mullen, John
Pitre, Joseph	Wuelper, Kurt		

**SULLIVAN**

Grenier, James	Laware, Thomas	Oxenham, Lee	Rollins, Skip
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and the motion was adopted.

**HB 1227**, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes. (Report printed SJ 6/1/16)

Rep. Hunt moved that the House adopt the Committee of Conference Report.

Motion adopted.

**(Speaker Jasper in the Chair)**

**HB 1301**, relative to the issuance of youth employment certificates. (Report printed SJ 6/1/16)

Rep. Hill moved that the House adopt the Committee of Conference Report.

Motion adopted.

**HB 1307**, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations. (Report printed SJ 6/1/16)

Rep. Hunt moved that the House adopt the Committee of Conference Report.

Motion adopted.

**HB 1339**, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees. (Report printed SJ 6/1/16)

Rep. Hunt moved that the House adopt the Committee of Conference Report.

Motion adopted.

**HB 1377**, relative to receipt of absentee ballots. (Report printed SJ 6/1/16)

Rep. Hoelzel moved that the House adopt the Committee of Conference Report.

Motion adopted.

**HB 1396**, relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. (Report printed SJ 6/1/16)

Rep. Steven Smith moved that the House adopt the Committee of Conference Report.

Motion adopted.

**HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards

and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program. (Report printed SJ 6/1/16)  
Rep. Lynne Ober moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 1503**, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax. (Report printed SJ 6/1/16)  
Rep. Gray moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 1547-FN**, prohibiting bestiality. (Report printed SJ 6/1/16)  
Rep. Tholl moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 1584-FN**, relative to body-worn cameras for law enforcement officers. (Report printed SJ 6/1/16)  
Rep. Tholl moved that the House adopt the Committee of Conference Report.  
Motion adopted.

**HB 1590-FN-A-L**, relative to taxation of short-term rentals. (Report printed SJ 6/1/16)  
Rep. Hunt moved that the House adopt the Committee of Conference Report.  
Rep. Hoell requested a roll call; sufficiently seconded.

## YEAS 189 - NAYS 127

### YEAS - 189

#### BELKNAP

Fields, Dennis	Flanders, Donald	Gallagher, Brian
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#### CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

#### CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Johnsen, Gladys	Hunt, John
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

#### COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Theberge, Robert	Tholl, John	Thomas, Yvonne	

#### GRAFTON

Almy, Susan	Bennett, Travis	Cooney, Mary	Ford, Susan
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

#### HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Booras, Efstathia	Christensen, Chris	Roberts, Carol
Cohen, Alan	Cote, David	Danielson, David	DiSilvestro, Linda
Flanagan, Jack	Freitas, Mary	Gagne, Larry	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard



Jack, Martin  
Leishman, Peter  
McNamara, Richard  
Pierce, David  
Rowe, Robert  
Takesian, Charlene  
Woodbury, David

Jeuzy, Jean  
O'Brien, Michael  
Brown, Pamela  
Porter, Marjorie  
Shattuck, Gilman  
Vann, Ivy

Kurk, Neal  
Mangipudi, Latha  
Long, Patrick  
Walsh, Robert  
Shaw, Barbara  
Williams, Kermit

Christiansen, Lars  
Manley, Jonathan  
Peterson, Ken  
Rosenwald, Cindy  
Snow, Kendall  
Wolf, Terry

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
French, Harold  
Frazer, June  
Kotowski, Frank  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

French, Barbara  
Doherty, David  
Henle, Paul  
Karrick, David  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Ebel, Karen  
Hess, David  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Walsh, Thomas

Rice, Chip  
Gile, Mary  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

### ROCKINGHAM

Christie, Andrew  
Cahill, Michael  
DeSimone, Debra  
Elliott, Robert  
Ward, Gerald  
Heffron, Frank  
Major, Norman  
Nigrello, Robert  
Sytek, John

Abrami, Patrick  
Cali-Pitts, Jacqueline  
Devine, James  
Fesh, Robert  
Guthrie, Joseph  
Hoelzel, Kathleen  
Manning, John  
Packard, Sherman  
Webb, James

Berrien, Skip  
Cardon, G. Thomas  
DiFranco, Debbie  
Francesse, Paula  
Hagan, Joseph  
Sweeney, Joe  
Matthews, Carolyn  
Pantelakos, Laura  
Welch, David

Borden, David  
Cushing, Robert  
Edgar, Michael  
Friel, William  
Harris, Jeffrey  
Lovejoy, Patricia  
McBeath, Rebecca  
Tilton, Rio  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burton, Wayne  
Kaen, Naida  
Spang, Judith  
Wall, Janet

Berube, Roger  
Cilley, Jacalyn  
Schmidt, Peter  
Sprague, Dale

Bickford, David  
Gardner, Janice  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Gray, James  
Southworth, Thomas  
Treleaven, Susan

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Oxenham, Lee

Cloutier, John  
Grenier, James  
Smith, Steven

Converse, Larry  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

### NAYS - 127

#### BELKNAP

Aldrich, Glen  
Hurt, George  
Varney, Peter

Dumais, Russell  
Spanos, Peter

Tilton, Franklin  
Fraser, Valerie

Howard, Raymond  
Vadney, Herbert

### CARROLL

Avellani, Lino  
McConkey, Mark

Comeau, Ed  
Parker, Harold

Cordelli, Glenn

McCarthy, Frank

### CHESHIRE

Tilton, Benjamin

Eaton, Daniel

McConnell, James

Sterling, Franklin

### COOS

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Darrow, Stephen

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Boehm, Ralph  
Eastman, Eric  
Ferreira, Elizabeth  
Gonzalez, Carlos  
Belanger, James  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Sanborn, Laurie  
Twombly, Timothy

Ammon, Keith  
Burt, John  
Edelblut, Frank  
Fromuth, Bart  
Gould, Linda  
Rice, Kimberly  
Moore, Josh  
Ohm, Bill  
Christie, Rick  
Seidel, Carl  
Ulery, Jordan

Griffin, Barbara  
Byron, Frank  
Edwards, Elizabeth  
Smith, Gregory  
Halstead, Carolyn  
Ober, Lynne  
Murotake, David  
McCarthy, Peggy  
Ober, Russell  
Simmons, Tammy  
O'Brien, William

Balcom, John  
Donovan, Daniel  
Estevez, Eric  
Gargasz, Carolyn  
Hogan, Edith  
LeBrun, Donald  
Murphy, Keith  
Palmer, Barry  
Rouillard, Claire  
Souza, Kathleen  
Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
Hill, Gregory  
Marple, Richard

Brewster, Michael  
Hoell, J.R.  
Martin, John

McGuire, Carol  
Horn, Werner  
Seaworth, Brian

McGuire, Dan  
Kuch, Bill

**ROCKINGHAM**

Abramson, Max  
Chirichiello, Brian  
Duarte, Joe  
Gannon, William  
Kappler, Lawrence  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Vose, Michael

Azarian, Gary  
Cook, Allen  
Emerick, J. Tracy  
Introne, Robert  
Katsakiores, Phyllis  
Osborne, Jason  
Gordon, Richard  
Woitkun, Steven

Barnes, Arthur  
Thomas, Douglas  
Rice, Frederick  
Itse, Daniel  
Griffin, Mary  
Peckham, Michele  
Schroadter, Adam

Bates, David  
Dean-Bailey, Yvonne  
Ferrante, Beverly  
Ward, Joanne  
McMahon, Charles  
Potucek, John  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Kaczynski, Thomas  
Mullen, John

Cheney, Catherine  
Hannon, Joseph  
Knowles, Robert  
Pitre, Joseph

DeLemus, Susan  
Horrigan, Timothy  
Turcotte, Leonard  
Wuelper, Kurt

Graham, Robert  
Jones, Laura  
Smith, Marjorie

**SULLIVAN**

Laware, Thomas  
and the motion was adopted.

Rollins, Skip

**HB 1637-FN**, relative to school attendance in towns with no public schools. (Report printed SJ 6/1/16)  
Rep. Ladd moved that the House adopt the Committee of Conference Report and spoke in favor.  
Rep. Gile spoke against and yielded to questions.  
Rep. Kappler requested a roll call; sufficiently seconded.

**YEAS 190 - NAYS 132****YEAS - 190****BELKNAP**

Aldrich, Glen  
Flanders, Donald  
Spanos, Peter

Dumais, Russell  
Gallagher, Brian  
Fraser, Valerie

Tilton, Franklin  
Howard, Raymond  
Vadney, Herbert

Fields, Dennis  
Hurt, George  
Varney, Peter

**CARROLL**

Avellani, Lino  
McCarthy, Frank  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Tilton, Benjamin  
Sterling, Franklin

Emerson, Susan

Hunt, John

McConnell, James

**COOS**

Fothergill, John  
Tholl, John

Moynihan, Wayne

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Darrow, Stephen  
Ladd, Rick

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

**HILLSBOROUGH**

Adams, Christopher  
Barry, Richard  
Byron, Frank  
Eastman, Eric  
Ferreira, Elizabeth  
Gagne, Larry  
Gould, Linda  
Hogan, Edith  
Kurk, Neal  
McLean, Mark  
Notter, Jeanine  
Pellegrino, Anthony  
Ober, Russell  
Sanborn, Laurie  
Souza, Kathleen  
O'Brien, William

Ammon, Keith  
Biggie, Barbara  
Christensen, Chris  
Edelblut, Frank  
Flanagan, Jack  
Gargas, Carolyn  
Haefner, Robert  
Belanger, James  
Christiansen, Lars  
Moore, Josh  
Ohm, Bill  
Peterson, Ken  
Walsh, Robert  
Seidel, Carl  
Takesian, Charlene  
Wolf, Terry

Griffin, Barbara  
Boehm, Ralph  
Danielson, David  
Edwards, Elizabeth  
Fromuth, Bart  
Gidge, Kenneth  
Halstead, Carolyn  
Judy, Jean  
Ober, Lynne  
Murotake, David  
McCarthy, Peggy  
Pierce, David  
Rouillard, Claire  
Shaw, Barbara  
Twombly, Timothy  
Zaricki, Nick

Balcom, John  
Burt, John  
Donovan, Daniel  
Estevez, Eric  
Smith, Gregory  
Gonzalez, Carlos  
Hinch, Richard  
Rice, Kimberly  
LeBrun, Donald  
Murphy, Keith  
Palmer, Barry  
Christie, Rick  
Rowe, Robert  
Simmons, Tammy  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Hess, David  
Kidder, David  
Martin, John

McGuire, Carol  
Hill, Gregory  
Kotowski, Frank  
Seaworth, Brian

McGuire, Dan  
Hoell, J.R.  
Kuch, Bill  
Walsh, Thomas

French, Harold  
Horn, Werner  
Marple, Richard

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cook, Allen  
Devine, James  
Rice, Frederick  
Gannon, William  
Hoelzel, Kathleen  
Ward, Joanne  
Major, Norman  
Milz, David  
Packard, Sherman  
Belanger, Ronald  
Sytek, John  
Welch, David

Abrami, Patrick  
Bates, David  
Thomas, Douglas  
Duarte, Joe  
Ferrante, Beverly  
Guthrie, Joseph  
Introne, Robert  
Kappler, Lawrence  
Manning, John  
Nigrello, Robert  
Peckham, Michele  
Gordon, Richard  
True, Chris  
Weyler, Kenneth

Abramson, Max  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Elliott, Robert  
Fesh, Robert  
Hagan, Joseph  
Itse, Daniel  
Katsakiores, Phyllis  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Tilton, Rio  
Vose, Michael

Azarian, Gary  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Friel, William  
Harris, Jeffrey  
Sweeney, Joe  
Griffin, Mary  
McMahon, Charles  
Osborne, Jason  
Prudhomme-O'Brien, Katherine  
Schroadter, Adam  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Mullen, John

Bickford, David  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard

**SULLIVAN**

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne  
Smith, Steven

Grenier, James

Laware, Thomas

**NAYS - 132****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Sad, Tara

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Bordenet, John  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Froburg, Alethea

Hatch, William

Theberge, Robert

Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Bennett, Travis  
Hennessey, Martha  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Maes, Kevin  
Smith, Suzanne

Ford, Susan  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Roberts, Carol  
Freitas, Mary  
Harvey, Suzanne  
Leishman, Peter  
McNamara, Richard  
Rosenwald, Cindy  
Williams, Kermit

Baroody, Benjamin  
Cohen, Alan  
Goley, Jeffrey  
Heath, Mary  
O'Brien, Michael  
Brown, Pamela  
Shattuck, Gilman  
Woodbury, David

Beaulieu, Jane  
Cote, David  
Gorman, Mary  
Herbert, Christopher  
Mangipudi, Latha  
Long, Patrick  
Snow, Kendall

Booras, Efsthathia  
DiSilvestro, Linda  
Hansberry, Daniel  
Jack, Martin  
Manley, Jonathan  
Porter, Marjorie  
Vann, Ivy

**MERRIMACK**

Turcotte, Alan  
Rice, Chip  
Gile, Mary  
Karrick, David  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

Alicea, Caroletta  
Carson, Clyde  
Henle, Paul  
Kenison, Linda  
Patten, Dick  
Schuett, Dianne

French, Barbara  
Doherty, David  
Hirsch, Geoffrey  
Luneau, David  
Ratzki, Mario  
Shurtleff, Stephen

Bartlett, Christy  
Ebel, Karen  
Frazer, June  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Ward, Gerald  
Pantelakos, Laura

Borden, David  
DiFranco, Debbie  
Heffron, Frank  
Sherman, Thomas

Cahill, Michael  
Edgar, Michael  
Lovejoy, Patricia  
Simpson, Alexis

Cali-Pitts, Jacqueline  
Francese, Paula  
McBeath, Rebecca  
Woitkun, Steven

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Smith, Marjorie  
Spang, Judith  
Verschueren, James

Berube, Roger  
Gardner, Janice  
Schmidt, Peter  
Sprague, Dale  
Wall, Janet

Bixby, Peter  
Horrigan, Timothy  
Rollo, Deanna  
Stevens, Audrey

Burton, Wayne  
Kaen, Naida  
Southworth, Thomas  
Treleaven, Susan

**SULLIVAN**

Schmidt, Andrew  
O'Heame, Andrew

Cloutier, John  
Oxenham, Lee

Converse, Larry

Irwin, Virginia

and the motion was adopted.

**HB 1656-FN**, relative to exceptions to the real estate transfer tax. (Report printed SJ 6/1/16)  
 Rep. Abrami moved that the House adopt the Committee of Conference Report.  
 Rep. William O'Brien requested a roll call; sufficiently seconded.

## YEAS 311 - NAYS 11

### YEAS - 311

#### BELKNAP

Aldrich, Glen  
 Flanders, Donald  
 Spanos, Peter

Dumais, Russell  
 Gallagher, Brian  
 Fraser, Valerie

Tilton, Franklin  
 Howard, Raymond  
 Vadney, Herbert

Fields, Dennis  
 Hurt, George  
 Varney, Peter

#### CARROLL

Avellani, Lino  
 Cordelli, Glenn  
 Parker, Harold

Butler, Edward  
 McCarthy, Frank  
 Schmidt, Stephen

Chandler, Gene  
 McConkey, Mark  
 Ticehurst, Susan

Comeau, Ed  
 Nelson, Bill  
 Umberger, Karen

#### CHESHIRE

Abbott, Michael  
 Bordenet, John  
 Hunt, John  
 Parkhurst, Henry  
 Shepardson, Marjorie

Ames, Richard  
 Chase, Cynthia  
 Ley, Douglas  
 Phillips, Larry  
 Sterling, Franklin

Tilton, Benjamin  
 Eaton, Daniel  
 Mann, John  
 Robertson, Timothy  
 Tatro, Bruce

Berch, Paul  
 Emerson, Susan  
 McConnell, James  
 Sad, Tara  
 Weber, Lucy

#### COOS

Fothergill, John  
 Richardson, Herbert  
 Thomas, Yvonne

Froburg, Alethea  
 Rideout, Leon

Hatch, William  
 Theberge, Robert

Moynihan, Wayne  
 Tholl, John

#### GRAFTON

Almy, Susan  
 Ford, Susan  
 Ingbretson, Paul  
 Massimilla, Linda  
 Townsend, Charles

Bennett, Travis  
 Gionet, Edmond  
 Ladd, Rick  
 Piper, Wendy  
 White, Andrew

Cooney, Mary  
 Higgins, Patricia  
 Hennessey, Martha  
 Smith, Suzanne

Darrow, Stephen  
 Hull, Robert  
 Maes, Kevin  
 Sykes, George

#### HILLSBOROUGH

Adams, Christopher  
 Balcom, John  
 Biggie, Barbara  
 Byron, Frank  
 Cote, David  
 Eastman, Eric  
 Ferreira, Elizabeth  
 Smith, Gregory  
 Goley, Jeffrey  
 Haefner, Robert  
 Heath, Mary  
 Belanger, James  
 Kurk, Neal  
 Leishman, Peter  
 McNamara, Richard  
 Notter, Jeanine  
 McCarthy, Peggy  
 Pierce, David  
 Walsh, Robert  
 Sanborn, Laurie

Ammon, Keith  
 Baroody, Benjamin  
 Boehm, Ralph  
 Christensen, Chris  
 Danielson, David  
 Edelblut, Frank  
 Flanagan, Jack  
 Gagne, Larry  
 Gonzalez, Carlos  
 Halstead, Carolyn  
 Herbert, Christopher  
 Jack, Martin  
 Christiansen, Lars  
 O'Brien, Michael  
 Moore, Josh  
 Ohm, Bill  
 Palmer, Barry  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Seidel, Carl

Griffin, Barbara  
 Barry, Richard  
 Booras, Efstathia  
 Roberts, Carol  
 DiSilvestro, Linda  
 Edwards, Elizabeth  
 Freitas, Mary  
 Gargas, Carolyn  
 Gould, Linda  
 Hansberry, Daniel  
 Hinch, Richard  
 Judy, Jean  
 Ober, Lynne  
 Manley, Jonathan  
 Murotake, David  
 Brown, Pamela  
 Pellegrino, Anthony  
 Christie, Rick  
 Rouillard, Claire  
 Shattuck, Gilman

Backus, Robert  
 Beaulieu, Jane  
 Burt, John  
 Cohen, Alan  
 Donovan, Daniel  
 Estevez, Eric  
 Fromuth, Bart  
 Gidge, Kenneth  
 Guerette, C. Lee  
 Harvey, Suzanne  
 Hogan, Edith  
 Rice, Kimberly  
 LeBrun, Donald  
 McLean, Mark  
 Murphy, Keith  
 Long, Patrick  
 Peterson, Ken  
 Ober, Russell  
 Rowe, Robert  
 Shaw, Barbara

Simmons, Tammy  
Twombly, Timothy  
Williams, Kermit

Snow, Kendall  
Ulery, Jordan  
Wolf, Terry

Souza, Kathleen  
Vann, Ivy  
Woodbury, David

Takesian, Charlene  
O'Brien, William  
Zaricki, Nick

### MERRIMACK

Turcotte, Alan  
Brewster, Michael  
McGuire, Dan  
French, Harold  
Horn, Werner  
Kidder, David  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Wallner, Mary Jane

Alicea, Caroletta  
McGuire, Carol  
Doherty, David  
Henle, Paul  
Frazer, June  
Kotowski, Frank  
Marple, Richard  
Ratzki, Mario  
Seaworth, Brian  
Wheeler, Deborah

French, Barbara  
Rice, Chip  
Ebel, Karen  
Hill, Gregory  
Karrick, David  
Kuch, Bill  
Martin, John  
Rogers, Katherine  
Shurtleff, Stephen

Bartlett, Christy  
Carson, Clyde  
Gile, Mary  
Hoell, J.R.  
Kenison, Linda  
Luneau, David  
Myler, Mel  
Saunderson, George  
Walsh, Thomas

### ROCKINGHAM

Christie, Andrew  
Barnes, Arthur  
Cahill, Michael  
Cook, Allen  
DeSimone, Debra  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Harris, Jeffrey  
Itse, Daniel  
Katsakiores, Phyllis  
Manning, John  
Nigrello, Robert  
Pantelakos, Laura  
Belanger, Ronald  
Sherman, Thomas  
Vose, Michael  
Woitkun, Steven

Abrami, Patrick  
Bates, David  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Devine, James  
Elliott, Robert  
Fesh, Robert  
Gannon, William  
Heffron, Frank  
Sweeney, Joe  
Lovejoy, Patricia  
Matthews, Carolyn  
O'Connor, John  
Peckham, Michele  
Gordon, Richard  
Simpson, Alexis  
Webb, James

Abramson, Max  
Berrien, Skip  
Cardon, G. Thomas  
Thomas, Douglas  
DiFranco, Debbie  
Emerick, J. Tracy  
Francese, Paula  
Guthrie, Joseph  
Hoelzel, Kathleen  
Ward, Joanne  
Griffin, Mary  
McMahon, Charles  
Osborne, Jason  
Potucek, John  
Tilton, Rio  
Sytek, John  
Welch, David

Azarian, Gary  
Borden, David  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Duarte, Joe  
Rice, Frederick  
Friel, William  
Hagan, Joseph  
Introne, Robert  
Kappler, Lawrence  
Major, Norman  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Schroadter, Adam  
True, Chris  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Bixby, Peter  
DeLemus, Susan  
Groen, Warren  
Kaczynski, Thomas  
Mullen, John  
Southworth, Thomas  
Treleaven, Susan

Beaudoin, Steven  
Burton, Wayne  
Gardner, Janice  
Hannon, Joseph  
Knowles, Robert  
Schmidt, Peter  
Spang, Judith  
Verschueren, James

Berube, Roger  
Cheney, Catherine  
Graham, Robert  
Horrigan, Timothy  
Turcotte, Leonard  
Pitre, Joseph  
Sprague, Dale  
Wall, Janet

Bickford, David  
Cilley, Jacalyn  
Gray, James  
Jones, Laura  
Smith, Marjorie  
Rollo, Deanna  
Stevens, Audrey  
Wuelper, Kurt

### SULLIVAN

Schmidt, Andrew  
Gottling, Suzanne  
Smith, Steven

Cloutier, John  
Grenier, James

Converse, Larry  
Laware, Thomas

Gagnon, Raymond  
Rollins, Skip

### NAYS - 11 CARROLL

Buco, Thomas

Johnsen, Gladys

### CHESHIRE

**GRAFTON**

Nordgren, Sharon

**HILLSBOROUGH**

Mangipudi, Latha

**MERRIMACK**

Hess, David

Hirsch, Geoffrey

**ROCKINGHAM**

McBeath, Rebecca

**STRAFFORD**

Kaen, Naida

**SULLIVAN**

Irwin, Virginia

O'Hearne, Andrew

Oxenham, Lee

and the motion was adopted.

**HB 1697-FN**, relative to the operation and insurance of transportation network companies. (Report printed SJ 6/1/16)

Rep. Steven Smith moved that the House adopt the Committee of Conference Report.

Motion adopted.

**HB 2016**, relative to the state 10-year transportation improvement program. (Report printed SJ 6/1/16)

Reps. Chandler moved that the House adopt the Committee of Conference Report.

Motion adopted.

**COMMUNICATION**

May 24, 2016

Hon. Shawn Jasper, Speaker

NH House of Representatives

State House

Concord, NH 03301

Subject: Resignation

Dear Speaker Jasper:

On the 23 of May I was selected by the Hillsborough County delegation to be the replacement county commissioner for the balance of this term. Since the position of county commissioner and House representative are not compatible offices under the laws of New Hampshire, I must tender my resignation. It is my plan to delay my being sworn in as a county commissioner until I have completed my committee of conference tasks and report to the House on June 1st. I request that my resignation be effective as of the end of the House session on June 1st.

I have found that serving the citizens of New Hampshire in the House of Representatives as a most rewarding task. I will miss the legislative challenge, but most of all the opportunity to associate with the members of the House who come from all parts of New Hampshire. I feel blessed to have been able to meet and work with this diverse group of men and women. I will miss them most of all.

Sincerely yours,

Representative Robert H. Rowe

cc: Clerk, New Hampshire House of Representatives

**UNANIMOUS CONSENT**

Rep. Rowe requested Unanimous Consent of the House regarding resigning from the House.

**(Rep. Packard in the Chair)**

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Rowe during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

**REMARKS**

**Representative Rowe:** Thank you, Mister Speaker. After 20 years this is a very emotional time for me. I'm leaving. I was going to slip out before it was read, but someone prevailed on me to say a few words. It's hard to think and feel. This will be my last time in this well speaking in this historic Chamber in this historic House. I will miss that. Another thing I will miss is the drama. The drama of passing legislation. Now, my wife, Helen and I have subscriptions to theater and we pay good money for the subscriptions, but here I get comedy, drama and tragedy and \$100 every year. Those two pale in relationship to what I really and truly will miss and that is all of you, members here now and members of the past. People from all over the state, different personalities, different views. I will miss them. Yes, I will miss those few members that are sitting here that almost gave me a heart attack in the committee and I won't mention their name. So, I thank you and God Bless all of you. Now I will slip out.

**ADJOURN FROM THE EARLY SESSION**

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time.  
Motion adopted.

**(Speaker Jasper in the Chair)**

**UNANIMOUS CONSENT**

Rep. Cahill requested Unanimous Consent of the House regarding the passing of the member from Newmarket, the Honorable Marcia Moody.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the member from Newmarket, the Honorable Marcia Moody.

**MOTION TO PRINT REMARKS**

Rep. Hoelzel moved that the remarks made by Rep. Cahill during Unanimous Consent be printed in the Permanent Journal.  
Motion adopted.

**REMARKS**

**Representative Cahill:** Thank you, Mister Speaker. I've asked that Representative Lovejoy and Schroadter join me down here at the well. We have a small delegation; made somewhat smaller now with the passing of the Honorable gentle lady from Newmarket, Marcia Moody. For those of you who knew Marcia Moody knew her to be hard working, conscientious, ardent, but not strident in her views and just a good person. I think that was illustrated by the attendance at her service just yesterday and I thank you, Mister Speaker and others, past and present, who joined us to say goodbye to our good friend Marcia. I'm very sorry that she is not with us. She was a wonderful legislator, a wonderful friend and we will miss her very much. Thank you, Mister Speaker.

**UNANIMOUS CONSENT**

Reps. Irwin and Steven Smith requested Unanimous Consent of the House regarding the passing of the former member from Newport, the Honorable Beverly Rodeschin.

**MOTION TO PRINT REMARKS**

Rep. Hinch moved that the remarks made by Reps. Irwin and Steven Smith during Unanimous Consent be printed in the Permanent Journal.  
Motion adopted.

**REMARKS**

**Representative Irwin:** Thank you, Mister Speaker. If there are other members of the Sullivan County Delegation that would like to join us, please do. As you can see, I am not Representative Steven Smith. I am Representative Virginia Irwin and I am here to honor my friend, Beverly Rodeschin. In 1984, I served in this House and a woman by the name of Beverly Rodeschin approached me on the street in Newport and said, "So, what's it like serving down in Concord?" I said oh, it's not too



bad. At that time we only came once a year and the off year we didn't have to come to Concord. She said, "Oh, well I'm thinking I might run, but I don't really know." I encouraged her to run. I lost my seat and Beverly has been here, had been here for 24 years. She was a devoted Legislator to her community. She never took a vote without saying how's it going to play in Newport. She never cast a ballot in the Senate or in the House without calling the Town Manager to see if it made sense for our community. I had the pleasure of serving with her for 13 years on the Board of Selectmen. So, we were colleagues, although our political parties were quite distant. We were colleagues, we were friends and she did the best for our town and she will be greatly missed. In 2013, the Board of Selectmen devoted the annual report to Beverly and to her husband, Henry and the one comment that I will make from that is they are two of the hardest working and dedicated public servants that anyone has ever encountered. I can't think of two more deserving people than Henry and Beverly Rodeschin for this year's dedication, so thank you, Henry, but particularly for the people of New Hampshire, thank you, Beverly. Her service is Friday at 11:00 at St. Patrick's in Newport.

**Representative Steven Smith:** Thank you, Mister Speaker. Bev Rodeschin made a big difference for me. I met her a little over 10 years ago. I was a fire-breathing activist, ready to tell everybody that what they were doing was wrong and every time I tried to get my local political committee to see the light and do things different, there was Bev Rodeschin in my way, shutting me down – or so I thought. A few years later, she actually once asked me right to my face, "Steven, why do you have to be such a persistent pain in the butt all of the time?" I think five or six years ago, the Speaker may agree that's a great question. I'm just trying to do things differently and make you guys come forward and these two guys agree with me, and she said, "But they agree with anything you say and you have wonderful ideas, but you don't have any clue how to actually do them." So, a little while later, there was something that was really important to me I wanted to do and I'm trying to figure out how to schedule it when Bev's not there. Epic fail, Bev was always there. So, I did the work and I talked to the people that disagreed with me and I tried to figure out the hard work, the mechanics of how to actually get the thing done and I went in still to be shut down again and I presented it and there was crickets and then Bev said, "Well, that sounds like a good idea, let's vote," and we did and she laughed, patted me on the shoulder and walked out – lesson learned. So, if I don't work as hard to create adversaries, I inadvertently find allies and I am eternally grateful to her for beating that lesson in to my head and giving up on me for as many years as she did it somehow. Thank you, Bev.

### UNANIMOUS CONSENT

Rep. Cushing requested Unanimous Consent of the House regarding the Dean of the House, Representative Laura Pantelakos.

### MOTION TO PRINT REMARKS

Rep. Hoelzel moved that the remarks made by Rep. Cushing during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

### REMARKS

**Representative Cushing:** Thank you, Mister Speaker. Nine Governors and 38 years ago, Laura Pantelakos first graced Representatives Hall and I know that for many of us she has been kind of a constant source of inspiration. Sometimes, if she thinks you are not doing things quite the way you should be doing them, she gently will point that out to you. What she really is though, she is the Dean of the House. Something about Laura also, because she is on kind of a limited income she decided that she didn't want to get any special number plate. Thanks to the generosity of our Speaker, the plates have been made to recognize her and I just want to ....Laura, you want to come up and get them? The Dean of the House.

### RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of receiving Senate messages, enrolled bill amendments, enrolled bill reports and veto messages from the Governor, at the completion of which the House will stand adjourned to the Call of the Chair.

The House recessed at 1:30 p.m.

### RECESS

(Rep. Itse in the Chair)

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 500, 1105, 1204, 1210, 1293, 1303 and 1589 and Senate Bills numbered 376, 439, 450, 488 and 500.

Rep. Hinch, Sen. Prescott for the Committee

### SENATE MESSAGES

#### ADOPTION OF COMMITTEE OF CONFERENCE REPORTS

**SB 66**, naming the lobby of the legislative office building after former speaker of the house George Roberts and relative to naming areas of the state house complex.

**SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

**SB 155-FN-A**, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

**SB 203-FN**, relative to review of eligibility for workers' compensation.

**SB 239-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax.

**SB 310**, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.

**SB 315**, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

**SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

**SB 320**, relative to non-academic surveys administered by a public school to its students.

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

**SB 326**, relative to the membership of the community college system of New Hampshire board of trustees.

**SB 342-FN**, relative to the sale or exchange of an interest in a business organization under the business profits tax.

**SB 369-FN**, requiring public schools to include drug and alcohol education as part of their health education curriculum.

**SB 384**, relative to the feeding of wild deer.

**SB 391**, relative to annulment of certain misdemeanor offenses.

**SB 409-FN**, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards.

**SB 411**, relative to the merger of lots that are mortgaged and the restoration of involuntarily merged lots.

**SB 466-FN**, relative to the detention of youthful offenders at the youth development center.

**SB 471-FN**, relative to parking for persons with disabilities.

**SB 495-FN-A**, relative to the definition of a cigar bar.

**SB 496-FN**, relative to personal care attendant services.

**SB 498-FN**, relative to penalties for possession of certain controlled drugs.

**SB 522-FN-A**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program and relative to the forfeiture of property.

**SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

**SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services, bureau of drug and alcohol services.

#### REFUSAL TO ADOPT COMMITTEE OF CONFERENCE REPORT

**SB 4**, relative to eligibility to vote and relative to availability of voter information.

RECESS

**(Rep. Wolf in the Chair)****ENROLLED BILL AMENDMENTS**

**SB 127-FN**, relative to the appointment of special Medicaid representatives. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 383**, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 406-FN**, relative to classification of certain state employee positions and relative to the liquor commission. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 437**, establishing a commission to address child hunger in New Hampshire. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 458-FN**, relative to reporting by political committees and relative to agreements to share voter information with other states. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 464-FN-A**, establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 482-FN-L**, establishing a committee to study the effect of short-term rentals on municipalities. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 483-FN**, establishing the position of chartered public school program officer in the department of education. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 491-FN**, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 515-FN**, relative to the child protection act. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 530-FN**, establishing a commission to study volunteer health care services. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 532-FN**, relative to prior authorization for substance use treatment. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 549-FN**, relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission. (Amendment printed SJ 6/1/16)

Motion adopted.

**RECESS**

(Rep. Hatch in the Chair)

**ENROLLED BILL AMENDMENT**

**SB 210-FN**, relative to regulation of septic system evaluators. (Amendment printed SJ 6/1/16)  
Motion adopted.

**RECESS**

(Rep. Richardson in the Chair)

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 197, 430, 626, 1186, 1246, 1271, 1272, 1298, 1395, 1527, 1608 and 1651 and Senate Bills numbered 300, 329, 339, 361, 363, 364, 379, 387, 405, 419, 424, 429, 431, 438, 440, 444, 480, 487 and 521.  
Rep. Hinch, Sen. Prescott for the Committee

**RECESS**

(Rep. Hinch in the Chair)

**ENROLLED BILL AMENDMENTS**

**HB 297**, protecting individual customer data from disclosure by a public utility.

**Amendment 2016-2126EBA**

Amend RSA 363:37 as inserted by section 1 of the bill by replacing line 1 with the following:  
363:37 Definitions. In this subdivision:

Amend RSA 363:37, II as inserted by section 1 of the bill by replacing lines 1-3 with the following:

II. "Service provider" means a public utility, as defined by RSA 362:2; a competitive electricity supplier, under RSA 374-F:7; an aggregator, as defined by RSA 53-E:2, II; a rural electric cooperative, under RSA 301:57; suppliers of natural gas, under RSA 362:4-b; and any other  
Amend RSA 363:38, V(b) as inserted by section 1 of the bill by replacing line 7 with the following:  
access, use, destruction, modification, or disclosure, and to prohibit the use of the data for a secondary  
Motion adopted.

**HB 512**, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.

**Amendment 2016-2045EBA**

Amend RSA 4:46, I-a(c) as inserted by section 1 of the bill by replacing it with the following:

(c) A law enforcement officer shall not be subject to disciplinary action or retaliation for refusing to confiscate a firearm, firearm accessory, ammunition, or ammunition component under this section if:

(1) Ordered or directed to do so by a superior officer; and

(2) By obeying the order or direction, the law enforcement officer would be committing a violation of this section.

Amend RSA 4:46, I-a(e) as inserted by section 1 of the bill by replacing line 1 with the following:

*(e) For the purposes of this paragraph, "law enforcement officer" includes,*

Motion adopted.

**HB 1430-FN**, relative to operation of compact utility tractors.

**Amendment 2016-2096EBA**

Amend section 1 of the bill by replacing line 1 with the following:

1 Words and Phrases; Compact Utility Tractor Added. Amend RSA 259:13-a to read as follows:  
Motion adopted.

**HB 1531**, permitting the legislature to open the state house on weekends.

**Amendment 2016-2117EBA**

Amend the title of the bill by replacing it with the following:

AN ACT permitting the legislature to open the state house to the public.

Amend section 1 of the bill by replacing lines 1-4 with the following:

1 New Subdivision; State House Operations Program. Amend RSA 14 by inserting after section 50 the following new subdivision:

State House Operations

14:51 State House Operations Program.

Motion adopted.

**HB 1644-FN**, relative to screening and intervention for dyslexia and related disorders, establishing a reading specialist position in the department of education, and making a technical correction.

#### **Amendment 2016-2130EBA**

Amend section 1 of the bill by replacing line 2 with the following:

RSA 200 by inserting after section 57 the following new subdivision:

Amend section 1 of the bill by replacing line 4 with the following:

200:58 Definitions. In this subdivision:

Amend section 1 of the bill by replacing line 20 with the following:

III. "Related disorders" include disorders similar to or related to dyslexia, such as a

Amend section 1 of the bill by replacing line 22 with the following:

200:59 Screening and Intervention for Dyslexia and Related Disorders.

Amend section 1 of the bill by replacing line 44 with the following:

200:60 Reading Specialist.

Amend section 1 of the bill by replacing line 61 with the following:

200:61 Teacher Professional Development and Training.

Amend section 1 of the bill by replacing line 74 with the following:

200:62 Dyslexia Resource Guide. No later than June 30, 2017, the reading specialist shall

Motion adopted.

### **RECESS**

**(Rep. Wall in the Chair)**

#### **ENROLLED BILL AMENDMENT**

**HB 1144-L**, relative to notice for sessions of correction of the check list.

#### **Amendment 2016-2127EBA**

Amend the bill by replacing all after section 3 with the following:

4 Checklists; Session for Correction. RSA 654:27 is repealed and reenacted to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on a day designated by the supervisors which shall be 6 to 13 days prior to the election and upon which all hearings shall be finally closed; provided that whenever more than one meeting is required within a 21-day period, the first required meeting may serve to fulfill the requirements of the remaining meetings. All sessions for the correction of the checklist shall be for no less than 30 minutes and at the discretion of the supervisors for additional hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

5 Contingency. If HB 1468 of the 2016 regular legislative session becomes law, section 4 of this act shall take effect at 12:01 a.m. on the effective date of HB 1468. If HB 1468 does not become law, section 4 of this act shall not take effect.

6 Effective Date.

I. Section 4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect upon its passage.

Motion adopted.

### **RECESS**

(Rep. Horrigan in the Chair)

**ENROLLED BILL AMENDMENTS****HB 1461**, relative to the definition of and criteria for protection instream flow.**Amendment 2016-2124EBA**

Amend RSA 483:9-c, I as inserted by section 6 of the bill by replacing line 4 with the following:  
*shall determine the protected instream flow criteria based on the requirements of flow-*

Amend RSA 483:9-c, VII as inserted by section 6 of the bill by replacing line 5 with the following:  
*criteria for a waiver, and notwithstanding paragraph VI, the department shall waive, in*

Amend RSA 483:9-c, VIII as inserted by section 6 of the bill by replacing line 1 with the following:

[IV-] **VIII.** The protected instream [~~flow levels~~] *flows* established under this section shall be  
 Amend the bill by replacing all after section 6 with the following:

7 Contingent Nullification. If HB 1595-FN of the 2016 regular legislative session becomes law, section 30 of HB 1595-FN which amends RSA 483:9-c, III-IV, relative to establishment of protected instream flows, shall not take effect.

8 Effective Date.

I. Section 7 of this bill shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.

Motion adopted.

**HB 1595-FN**, relative to the rivers management and protection program.**Amendment 2016-2125EBA**

Amend RSA 483:7-a, I(a)(3) as inserted by section 12 of the bill by replacing line 2 with the following:  
 the public for motor vehicle use shall be [~~250 feet, except where~~] *screened by the river bank or a*

Amend RSA 483:8, I(g) as inserted by section 14 of the bill by replacing line 2 with the following:

~~submitted~~] *nominated* by the Society for ~~the~~ Protection of New Hampshire Forests, ~~the~~ Audubon

Amend RSA 483:8, VI as inserted by section 15 of the bill by replacing line 1 with the following:

VI. The advisory committee shall report biennially and advise the commissioner, ~~the~~ rivers

Amend RSA 483:8-a, III(a) as inserted by section 17 of the bill by replacing line 4 with the following:

*disposal of state-owned lands.* Municipal officials, boards, and agencies shall inform such

Amend RSA 483:9-aa, II(c) as inserted by section 24 of the bill by replacing line 2 with the following:

historic level of impoundment at that site[-]; *and*

Amend the bill by replacing section 27 with the following:

27 Community Rivers Protection. Amend RSA 483:9-b, II(c) to read as follows:

(c) The height of the impoundment is constant and, for existing or breached dams, is not raised above the maximum historic level of impoundment at that site; *and*

(d) *The proposed facility provides adequate fish passage as determined by the fish and game department.*

Amend RSA 483:10, I as inserted by section 31 of the bill by replacing lines 4-5 with the following:  
 regional planning commissions, *and* municipalities, [~~and local river management advisory committees~~]

and shall encourage the development and implementation of *local* river corridor management plans

Motion adopted.

**HB 1685-FN**, relative to mortgage bankers, brokers, and servicers.**Amendment 2016-2131EBA**

Amend RSA 397-A:1, I as inserted by section 1 of the bill by replacing line 4 with the following:  
 mortgage servicer required to be licensed under this chapter, and who represents a mortgage banker,

Amend RSA 397-A:1, IV(b)(2) as inserted by section 1 of the bill by replacing line 2 with the following:

business on behalf of the mortgage banker or mortgage broker from such identified location.

Amend RSA 397-A:1, VI-a as inserted by section 1 of the bill by replacing line 1 with the following:

VI-a. "Direct owner" means any person, including an individual, that owns, beneficially owns,

Amend RSA 397-A:1, XXI as inserted by section 1 of the bill by replacing line 2 with the following:

thereon or are intended to be affixed thereon, including, but not limited to, single-family homes and

Amend RSA 397-A:4, III as inserted by section 1 of the bill by replacing it with the following:

III. Federal, state, or local governmental agencies, instrumentalities, and corporations and the employees of such entities who act as loan originators and mortgage servicers pursuant to their official duties as employees of the entities provided that, limited to activities that would otherwise be within the scope of this chapter:

(a) Such government entity operates:

(1) To promote affordable housing, housing improvement assistance, or to provide homeownership education, or similar services.

(2) To conduct its activities in a manner that serves public or charitable purposes.

(3) To receive funding and revenues and to charge fees in a manner that does not incentivize the organization or its employees to act other than in the best interests of its clients.

(4) To compensate employees in a manner that does not incentivize employees to act other than in the best interests of its clients.

(5) Absent a commercial context and without a pecuniary interest.

(b) The government employees who act as loan originators and mortgage servicers as employees of government entities and pursuant to government funded and regulated housing assistance programs do so:

(1) For public or charitable purposes, and not for the profit of another individual or entity.

(2) Not within a commercial context.

Amend RSA 397-A:5, II(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) The persons described in subparagraph (a) shall submit to the department a

Amend RSA 397-A:5, IV-b(a)(2)(A) as inserted by section 1 of the bill by replacing line 2 with the following:

described in section 603(p) of the Fair Credit Reporting Act;

Amend RSA 397-A:5, IV-b(a)(2)(B) as inserted by section 1 of the bill by replacing line 2 with the following:

law enforcement entity, court, or governmental jurisdiction;

Amend RSA 397-A:5, IV-b(b) as inserted by section 1 of the bill by replacing lines 2 and 3 with the following:

which the Federal Bureau of Investigation may have to maintain for subparagraphs (a)(1) and (a)(2) (B), the commissioner may use the Nationwide Mortgage Licensing System and Registry

Amend RSA 397-A:5, IV-b(c) as inserted by section 1 of the bill by replacing line 2 with the following:

the commissioner may have to maintain for purposes of subparagraphs (a)(2)(A) and (B), the

Amend RSA 397-A:5, IV-c(a)(3) as inserted by section 1 of the bill by replacing line 1 with the following:

(3) Has never been convicted of, or pled guilty or nolo contendere to, a felony in a  
Amend RSA 397-A:5, IV-c(a)(4) as inserted by section 1 of the bill by replacing line 1 with the following:

(4) Has never been convicted of, or pled guilty or nolo contendere in a domestic,  
Amend RSA 397-A:5, IV-d(a)(1) as inserted by section 1 of the bill by replacing line 2 with the following:

paragraph IV-c;

Amend RSA 397-A:5, VI(a)(1)(C)-(D) as inserted by section 1 of the bill by replacing them with the following:

(C) Credit history;

(D) Any other information as deemed necessary by the Nationwide Mortgage Licensing System and Registry;

Amend RSA 397-A:5, VI(a)(2) as inserted by section 1 of the bill by replacing line 2 with the following:

Mortgage Licensing System and Registry;

Amend RSA 397-A:10, I as inserted by section 1 of the bill by replacing line 1 with the following:

I. No licensee shall conduct the business of a mortgage banker, mortgage broker, or  
Amend RSA 397-A:12, X as inserted by section 1 of the bill by replacing line 1 with the following:

X. If so requested by the person examined, within the period allowed in paragraph IX, or  
Amend RSA 397-A:12, X as inserted by section 1 of the bill by replacing line 7 with the following:

paragraph IX. The report shall be accepted and filed within 6 months after the final hearing

Amend RSA 397-A:12, XI as inserted by section 1 of the bill by replacing line 2 with the following: the department as provided in paragraph X shall nevertheless not be for public inspection. The Amend RSA 397-A:12-a, I as inserted by section 1 of the bill by replacing line 4 with the following: federal law or RSA 383:10-b, RSA 383:10-e, RSA 397-A:12, XI, and RSA 91-A regarding the privacy Amend RSA 397-A:12-a, I as inserted by section 1 of the bill by replacing line 12 with the following: 383:10-e, RSA 397-A:12, XI, and RSA 91-A.

Amend RSA 397-A:12-a, V as inserted by section 1 of the bill by replacing line 1 with the following:

V. RSA 383:10-b, RSA 383:10-e, RSA 397-A:12, XI, and RSA 91-A, relating to the disclosure

Amend RSA 397-A:16-a, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. Notwithstanding any other provision of this chapter, the charges which may be

Amend RSA 397-A:18, V as inserted by section 1 of the bill by replacing lines 2 and 3 with the following: existence or has ceased to do business as a mortgage broker, mortgage banker, or mortgage originator, or cannot be located after reasonable search, the commissioner may by order revoke the license,

Amend RSA 397-A:19, V as inserted by section 1 of the bill by replacing line 2 with the following: person to cease and desist the conduct at issue, assess penalties as provided in RSA 397-A:20.

Amend RSA 397-A:20, V as inserted by section 1 of the bill by replacing line 3 with the following: in this state to enjoy the acts or practices of such person and to enforce compliance with this chapter or any rule or

Motion adopted.

## RECESS

**(Rep. Horrigan in the Chair)**

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 297, 512, 1430, 1531 and 1644 and Senate Bills numbered 336, 345, 437 and 549.

Rep. Shurtleff, Sen. Prescott for the Committee

## RECESS

**(Rep. Eaton in the Chair)**

### ENROLLED BILL AMENDMENTS

**HB 533**, relative to installation requirements for arc-fault circuit interrupters.

#### Amendment 2016-2134EBA

Amend section 1 of the bill by replacing lines 3-14 with the following:

155-A:3-c Installation of Arc-Fault Circuit Interrupters (AFCI); Exception.

I. Notwithstanding any provision of the state building code or state fire code requiring the installation of arc-fault circuit interrupters, after repeated tripping of an AFCI device and determination the branch circuit is not causing the AFCI to trip, an AFCI device may be replaced with one without AFCI protection in accordance with this section.

II. All receptacle outlets supplied by the branch circuit without AFCI protection shall be marked "No AFCI Protection."

III. Incident reports shall be filed by registered letter or email with a read receipt requested:

(a) By the property owner to all occupants as applicable; and

(b) By the electrician with the electricians' board if he or she is performing the replacement.

IV. The time periods for the AFCI device replacement and incident reporting shall be as

Motion adopted.

**HB 1637-FN**, relative to school attendance in towns with no public schools.

#### Amendment 2016-2135EBA

Amend RSA 194:27 as inserted by section 2 of the bill by replacing line 5 with the following:

an approved public high school [or], a public school of corresponding grade in another district [or], an

Motion adopted.

## RECESS



**(Rep. Parker in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 533, 1144 and 1637 and Senate Bills numbered 127, 210, 383, 406, 458, 464, 482, 483, 491, 530 and 532.

Rep. Shurtleff, Sen. Prescott for the Committee

**RECESS**

**(Rep. Packard in the Chair)**

**ENROLLED BILL AMENDMENTS**

**SB 66**, naming the lobby of the legislative office building after former speaker of the house George Roberts and relative to naming areas of the state house complex. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 155-FN-A**, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 326**, relative to the membership of the community college system of New Hampshire board of trustees. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 369-FN**, requiring public schools to include drug and alcohol education as part of their health education curriculum. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 409-FN**, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 411**, relative to the merger of lots that are mortgaged and the restoration of involuntarily merged lots. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 466-FN**, relative to the detention of youthful offenders at the youth development center. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 495-FN-A**, relative to the definition of a cigar bar. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 522-FN-A**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program and relative to the forfeiture of property. (Amendment printed SJ 6/1/16)  
Motion adopted.

**SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. (Amendment printed SJ 6/1/16)  
Motion adopted.

**RECESS**

**(Rep. Eaton in the Chair)**

**ENROLLED BILL AMENDMENTS**

**HB 114**, establishing beer specialty licenses and relative to rectifiers.

**Amendment 2016-2143EBA**

Amend RSA 178:19-d, I as inserted by section 1 of the bill by replacing line 5 with the following: barrels, bottles, or other containers as the commission may by rule prescribe.

Motion adopted.

**HB 353**, relative to the governance of condominium unit owners' associations.

**Amendment 2016-2160EBA**

Amend section 2 of the bill by replacing line 2 with the following:

40-b are repealed and reenacted to read as follows:

Amend RSA 356-B:39-a, I as inserted by section 2 of the bill by replacing lines 1-2 with the following:

I. The association shall notify the unit owners, in the manner prescribed by RSA 356-B:37-a, that the vote will be taken by ballot and deliver a paper or electronic ballot to every unit owner

Motion adopted.

**HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee.

**Amendment 2016-2153EBA**

Amend the bill by deleting section 16 and renumbering the original sections 17-21 to read as 16-20, respectively.

Amend section 17 of the bill by replacing section 2, subparagraph I(l) with the following:

(l) A promise of employment or continued employment; and

Amend section 17 of the bill by replacing section 3, subparagraph III(e), line 2 with the following: the legislator, a member of the legislator's immediate family, or a household member.

Amend section 17 of the bill by replacing section 4, subparagraph I(g), line 3 with the following: later than 10 days following the meeting or event at which the meals or beverages were

Amend section 17 of the bill by replacing section 5, paragraph II, lines 58 and 59 with the following: Any representative, senator, or officer of the house of representatives or senate who knowingly fails to file the form required under RSA 14-B:8 or who knowingly files a

Amend section 17 of the bill by replacing section 6, subparagraph IV(a), line 2 with the following:

issue; or

Amend section 17 of the bill by replacing section 8, subparagraph III(e), line 3 with the following: 10 days following the meeting or event at which the meals or beverages were consumed.

Amend section 18 of the bill by replacing section 2, paragraph II, line 5 with the following:

the affirmative vote of at least 4 members at a meeting of the committee.

Amend section 18 of the bill by replacing section 4, paragraph V, lines 3-5 with the following:

(a) That the committee does not have jurisdiction to consider it under RSA 14-B;

(b) It is obviously without merit; or

(c) It is obviously unfounded.

Amend section 18 of the bill by replacing section 4, paragraph VI, lines 2 and 3 with the following: than 2 years prior to the receipt of the complaint. However, when the last episode of an alleged pattern of recurring legislative conduct arises within the 2-year period, the committee may

Amend section 18 of the bill by replacing section 5, paragraph I, line 1 with the following:

I. Except where the complaint has been discharged or dismissed pursuant to paragraphs IV, V, Amend section 18 of the bill by replacing section 6, paragraph I, line 2 with the following:

affirmative vote of 4 or more members of the committee taken at a meeting thereof. Such

Amend section 18 of the bill by replacing section 7, paragraph I, line 1 with the following:

I. If, after preliminary investigation the committee concludes, by the affirmative vote of 4 or

Amend section 18 of the bill by replacing section 7, paragraph II, line 5 with the following:

VI.

Amend section 18 of the bill by replacing section 8, subparagraph I(a), line 2 with the following: relevant information; and

Amend section 18 of the bill by replacing section 9, paragraph III, line 1 with the following:

III. A violation of the law, ethics guidelines, rule, or regulation shall be established by clear

Motion adopted.

**HB 605-FN**, relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state.

**Amendment 2016-2147EBA**

Amend the title of the bill by replacing it with the following:

AN ACT eliminating the mandatory minimum sentence for habitual offenders convicted of illegal operation of a motor vehicle.

Amend RSA 262:23, III as inserted by section 1 of the bill by replacing lines 7-8 with the following: ~~of a class A misdemeanor and may be sentenced to one year or less.]~~ Any person incarcerated on June 8, 1992, pursuant to certification as an habitual offender under RSA

Motion adopted.

**HB 1227**, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.

**Amendment 2016-2154EBA**

Amend section 1 of the bill by replacing it with the following:

1 Repeal. RSA 332-D, relative to Sunday business activities, is repealed.

Amend the bill by replacing section 4 with the following:

4 Children's Bingo at Private Hotels and Campgrounds; Sunday Hours. RSA 287-E:13, I is repealed and reenacted to read as follows:

I. No games shall be conducted prior to 11:00 a.m. and all games shall be finished by 8:30 p.m. on any day.

Motion adopted.

**HB 1301**, relative to the issuance of youth employment certificates.

**Amendment 2016-2145EBA**

Amend RSA 276-A:5, V as inserted by section 1 of the bill by replacing line 1 with the following:

~~[V.]~~ V. Any employer not in compliance with the requirements of RSA 276-A:4 or this section

Motion adopted.

**HB 1307**, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

**Amendment 2016-2133EBA**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state.

Motion adopted.

**HB 1339**, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

**Amendment 2016-2142EBA**

Amend RSA 401-D:7, V(f) as inserted by section 1 of the bill by replacing line 1 with the following:

(f) A requirement that the NAIC or a third party consultant consent to intervention

Amend RSA 275:43-a as inserted by section 2 of the bill by replacing line 8 with the following: attempt to notify him *or her* has been unsuccessful or if the employer is prevented from making

Motion adopted.

**HB 1377**, relative to receipt of absentee ballots.

**Amendment 2016-2161EBA**

Amend RSA 657:16 as inserted by section 2 of the bill by replacing line 16 with the following:

*and RSA 654:28 shall be processed as election day registrations under RSA 654:7-a.* If the

Amend RSA 657:15 as inserted by section 3 of the bill by replacing line 1 with the following:

657:15 Sending Absentee Ballots.

I. When the verification required by RSA 657:12 or 657:13 has been made, the clerk shall

Amend RSA 657:15, II as inserted by section 3 of the bill by replacing line 3 with the following:  
***may obtain a list of absentee voter applicants from the clerk, excluding voters who have***  
 Motion adopted.

**HB 1396**, relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.

#### **Amendment 2016-2140EBA**

Amend the title of the bill by replacing it with the following:

AN ACT relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.

Amend RSA 215-A:10-a, II(f) as inserted by section 3 of the bill by replacing line 1 with the following:

(f) The chief supervisor of the bureau of trails of the department of resources and economic  
 Motion adopted.

**HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program.

#### **Amendment 2016-2159EBA**

Amend the title of the bill by replacing it with the following:

AN ACT establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, and relative to liquor commission revenue shortfall.

Amend section 1 of the bill by replacing line 3 with the following:

environmental services known as the clean water state revolving fund (CWSRF) non-program fund  
 Amend section 15 of the bill by replacing line 2 with the following:

commission revenue shortfalls, are hereby suspended for the period beginning on the effective date of  
 Amend RSA 125-C:10-c, II(a) as inserted by section 18 of the bill by replacing line 2 with the following:

incinerator or a municipal waste combustor with a design capacity of less than 250 tons per day of  
 Amend the bill by replacing section 21 with the following:

#### **21 Effective Date.**

I. Sections 1-3 and 5-10 of this act shall take effect July 1, 2016.

II. Sections 18-19 of this act shall take effect 60 days after its passage.

III. The remainder of this act shall take effect upon its passage.

Motion adopted.

**HB 1503**, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.

#### **Amendment 2016-2163EBA**

Amend RSA 659:43, I as inserted by section 1 of the bill by replacing line 3 with the following:  
 poster, card, handbill, placard, picture, ***pin, sticker, [or] circular, or article of clothing*** which is  
 Motion adopted.

**HB 1584-FN**, relative to body-worn cameras for law enforcement officers.

**Amendment 2016-2150EBA**

Amend RSA 105-D:2, XVII(a) as inserted by section 1 of the bill by replacing line 2 with the following:  
limited to litigation, a pending criminal case, or a valid court or administrative order, then the Motion adopted.

**HB 1590-FN-A-L**, relative to taxation of short-term rentals.

**Amendment 2016-2164EBA**

Amend the title of the bill by replacing it with the following:

AN ACT relative to taxation of short-term rentals.

Motion adopted.

**HB 2016**, relative to the state 10-year transportation improvement program.

**Amendment 2016-2156EBA**

Amend RSA 228-A:2 as inserted by section 2 of the bill by replacing line 27 with the following:  
**section.**

Motion adopted.

**SB 391**, relative to annulment of certain misdemeanor offenses. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 401-FN**, relative to insurance coverage for prescription eye drops. (Amendment printed SJ 6/1/16)

Motion adopted.

**SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services, bureau of drug and alcohol services. (Amendment printed SJ 6/1/16)

Motion adopted.

**RECESS**

**(Speaker Jasper in the Chair)**

**ENROLLED BILL AMENDMENT**

**HB 1547-FN**, prohibiting bestiality.

**Amendment 2016-2165EBA**

Amend RSA 644:8-g, V(c) as inserted by section 1 of the bill by replacing line 3 with the following:  
the body of the animal, where such penetration can be reasonably construed for the purpose of

Amend RSA 651-B:1, IX(a) as inserted by section 2 of the bill by replacing line 2 with the following:  
13 years of age or older but less than 18 years of age; RSA 633:2; RSA 633:3; RSA 633:7; RSA 639:3, III; RSA

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect January 1, 2017, at 12:01 a.m.

Motion adopted.

**RECESS**

**(Rep. Packard in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 280, 285, 378, 427, 606, 628, 1193, 1461, 1595, 1656, 1685 and 1697 and Senate Bills numbered 66, 129, 155, 203, 239, 310, 315, 319, 320, 324, 326, 342, 369, 384, 409, 466, 471, 495, 496, 498, 515 and 523.

Rep. Hinch, Sen. Prescott for the Committee

**RECESS**

**(Speaker Jasper in the Chair)**

Rep. Hinch moved that the House adjourn.

Motion adopted.

## HOUSE JOURNAL NO. 16

Thursday, June 16, 2016

The House assembled at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Father Jason Jalbert, Director of the Office of Worship for the Diocese of Manchester.

Rep. Bucu, member from Conway, led the Pledge of Allegiance.

The National Anthem was sung by the New England Youth Singers.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Comtois, Emerson, Gagne, Kellogg, Lynne Ober, Priestley, Rappaport, Sanders and White, the day, illness.

Reps. Beaulieu, Berube, Crawford, Doucette, Flanders, Hagan, Ley, Douglas Long, Lovejoy, Massimilla, Russell Ober, Osborne, Peckham, Rouillard, Andrew Schmidt, Shattuck, Daniel Sullivan, Tamburello and Wright, the day, important business.

Rep. Booras, the day, illness in the family.

Rep. Robert Walsh, the day, death in the family.

### INTRODUCTION OF GUESTS

Max Ledoux, guest of Rep. Cordelli. Janet Stevens, guest of Rep. Joanne Ward. David Coolidge, guest of Rep. Alan Turcotte. Jacob Brahm and Hamza Shahzad, guests of Rep. Simmons. Claire Hennessey, daughter of Rep. Erin Hennessey. Evelyn Seaworth, daughter of Rep. Seaworth. Joel Weinrebe, guest of Rep. LeBreche. Molly Horn, wife of Rep. Horn. Michelle and Brian Pearce, sister and brother-in-law of Rep. Weber. Robert Gillespie, and Carolee Longley, husband and guest of Rep. Wheeler. The Honorable Keith Hirschmann, former member from Manchester, guest of Rep. Infantine. The Honorable Robert L'Heureux, former member from Merrimack, guest of the Speaker.

### HOUSE RESOLUTION 21

#### Honoring the victims of Orlando, Florida

**WHEREAS**, the New Hampshire House of Representatives learned with great sorrow of the tragic killings of club-goers at an Orlando night club this past weekend; and

**WHEREAS**, Tony award winner Lin-Manuel Miranda proclaimed hours later: "We rise and fall, and light from dying embers, remembrances that hope and love last longer and love is love is love is love is love is love is love cannot be killed or swept aside;" and

**WHEREAS**, the New Hampshire House has a long-standing history of affirming its support for communities, states, and nations throughout the world, especially in times of distress; now, therefore, be it

**RESOLVED**, that the New Hampshire House of Representatives honors the victims of the shooting at Pulse nightclub and offers its condolences to the families and loved ones of the victims; and be it further

**RESOLVED**, that the House of Representatives in regular session convened, stands with the community of Orlando, Florida and offers its support, love, and prayers.

Offered by the House of Representatives.

Reps. Hinch and Shurtleff moved that Resolution No. 21 be adopted.

Motion adopted.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the victims of the shooting in Orlando, Florida.

### HOUSE RESOLUTION 22

#### Memorializing State Representative Marcia Moody of Newmarket

**WHEREAS**, we have learned with profound sorrow of the death of our friend and colleague Marcia G. Moody, who was serving her sixth term as a State Representative representing the citizens of Rockingham County District 17, the towns of Newfields and Newmarket; and

**WHEREAS**, Marcia Moody served with diligence and enthusiasm on the committees on Resources, Recreation, and Development and Election Law; and  
**WHEREAS**, Marcia Moody worked for the Army and Air Force Exchange Service for 26 years which brought her to several countries where she experienced great opportunities such as skiing the Alps; and  
**WHEREAS**, as an unabashed progressive who fought for causes she deeply believed in, The Nation magazine named Marcia Moody as its *Most Valuable State Legislator*; now, therefore, be it **RESOLVED**, by the House of Representatives in Regular Session convened, Marcia G. Moody be granted the highest praise and accolades and given our profound thanks for her service to her country, the state, and the town she called home, and that expressions of our most heartfelt sympathy be extended to all of her friends and loved ones.  
Offered by the House of Representatives.  
Reps. Shurtleff and Hinch moved that Resolution No. 22 be adopted.  
Motion adopted.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the Representative from Newmarket, the Honorable Marcia Moody.

**MOTION TO SUSPEND HOUSE RULES**

Late drafting and introduction having been approved by the Rules Committee, Reps. Hinch and Shurtleff moved that House Rules be so far suspended as to permit introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee, and, if passed, immediate third reading of HB 1000-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

**(Rep. Packard in the Chair)**

Rep. Bates spoke against and yielded to questions.  
The Speaker accepted the previous question and debate was limited.  
Rep. Elliott spoke in favor.  
Reps. Abramson and Sanborn spoke against.  
Rep. Burt spoke against and yielded to questions.  
Reps. Steven Smith, Infantine and Jasper spoke in favor and yielded to questions.  
Rep. Hinch requested a roll call; sufficiently seconded.

**YEAS 241 - NAYS 97**

**YEAS - 241  
BELKNAP**

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Spanos, Peter
Fraser, Valerie			

**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Hunt, John	Roberts, Kris	Mann, John	Parkhurst, Henry
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

**COOS**

Fothergill, John	Frobург, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

Bailey, Brad  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara  
Barry, Richard  
Roberts, Carol  
Danielson, David  
Freitas, Mary  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Belanger, James  
Kurk, Neal  
O'Brien, Michael  
McNamara, Richard  
McCarthy, Peggy  
Pierce, David  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

Backus, Robert  
Biggie, Barbara  
Cohen, Alan  
DiSilvestro, Linda  
Smith, Gregory  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Jack, Martin  
Lachance, Joseph  
Mangipudi, Latha  
O'Neil, William  
Palmer, Barry  
Porter, Marjorie  
Snow, Kendall  
Vann, Ivy

Balcom, John  
Byron, Frank  
Cornell, Patricia  
Flanagan, Jack  
Gargasz, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Hopper, Gary  
Jasper, Shawn  
LeBrun, Donald  
Manley, Jonathan  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Souza, Kathleen  
Williams, Kermit

Baroody, Benjamin  
Christensen, Chris  
Cote, David  
Forest, Armand  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Infantine, William  
Jeudy, Jean  
Leishman, Peter  
Martel, Andre  
Long, Patrick  
Peterson, Ken  
Rosenwald, Cindy  
Smith, Timothy  
Wolf, Terry

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

Alicea, Caroletta  
Rice, Chip  
Gile, Mary  
Frazer, June  
Kotowski, Frank  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

French, Barbara  
Carson, Clyde  
Henle, Paul  
Karrick, David  
Luneau, David  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Hess, David  
Kenison, Linda  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Potucek, John  
Simpson, Alexis  
Weyler, Kenneth

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Thomas, Douglas  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Introne, Robert  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Woitkun, Steven

Allen, Mary  
Borden, David  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Edgar, Michael  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe  
Manning, John  
McMahon, Charles  
Gordon, Pamela  
Tilton, Rio  
Webb, James

Azarian, Gary  
Cahill, Michael  
Cook, Allen  
DeSimone, Debra  
Elliott, Robert  
Francesse, Paula  
Heffron, Frank  
Ward, Joanne  
Matthews, Carolyn  
Milz, David  
Pantelakos, Laura  
Sherman, Thomas  
Welch, David

**STRAFFORD**

Baber, William  
Burton, Wayne  
Gardner, Janice  
Ward, Kenneth  
Schmidt, Peter  
Treleaven, Susan

Berube, Roger  
Cheney, Catherine  
Graham, Robert  
Kaen, Naida  
Rollo, Deanna  
Verschueren, James

Bickford, David  
Cilley, Jacalyn  
Gray, James  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Bixby, Peter  
DiSesa, Len  
Horrigan, Timothy  
Mullen, John  
Spang, Judith



**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Smith, Steven	

**NAYS - 97**

**BELKNAP**

Aldrich, Glen	Gallagher, Brian	Howard, Raymond	Hurt, George
LeBreche, Shari	Sylvia, Michael	Vadney, Herbert	Varney, Peter

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn
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**CHESHIRE**

McConnell, James	Phillips, Larry	Robertson, Timothy
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**COOS**

Rideout, Leon

**GRAFTON**

Brown, Duane	Hull, Robert	Ingbretson, Paul
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**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Coffey, James	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Rice, Kimberly	Christiansen, Lars
Marston, Dick	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Parison, James	Christie, Rick	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Simmons, Tammy	Stepanek, Stephen	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	O'Brien, William	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Seaworth, Brian

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Duarte, Joe	Rice, Frederick	Gannon, William	Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Oligny, Jeffrey	Gordon, Richard	Schroadter, Adam
Spillane, James	True, Chris	Tucker, Pamela	Vose, Michael

**STRAFFORD**

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard
Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt	

and the motion was adopted by the necessary two-thirds vote.

**(Speaker Jasper in the Chair)**

**RESOLUTION**

Reps. Hinch and Shurtleff offered the following: RESOLVED, that late introduction having been approved by the Rules Committee and a two-thirds vote of the House, House Bill numbered 1000 shall be by this resolution read a first and second time by the therein listed title.  
Motion adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading**

**HB 1000-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

**MOTION TO LIMIT DEBATE**

Reps. Hinch and Shurtleff moved to limit debate to 15 minutes per side, including questions, and amendments, which would be considered on the no side.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 207 - NAYS 126**

**YEAS - 207****BELKNAP**

Dumais, Russell  
Fraser, Valerie

Tilton, Franklin

Fields, Dennis

LeBreche, Shari

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Butler, Edward  
Nelson, Bill

Chandler, Gene  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Tatro, Bruce

Ames, Richard  
Johnsen, Gladys  
Sad, Tara  
Weber, Lucy

Berch, Paul  
Hunt, John  
Shepardson, Marjorie

Chase, Cynthia  
Mann, John  
Sterling, Franklin

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Tholl, John

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

Almy, Susan  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Bailey, Brad  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Christensen, Chris  
Cote, David  
Forest, Armand  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Jack, Martin  
LeBrun, Donald  
McNamara, Richard  
Palmer, Barry  
Porter, Marjorie  
Souza, Kathleen  
Wolf, Terry

Baroody, Benjamin  
Roberts, Carol  
Danielson, David  
Freitas, Mary  
Goley, Jeffrey  
Hansberry, Daniel  
Hinch, Richard  
Judy, Jean  
O'Brien, Michael  
O'Neil, William  
Pellegrino, Anthony  
Proulx, Mark  
Takesian, Charlene  
Woodbury, David

Barry, Richard  
Cohen, Alan  
DiSilvestro, Linda  
Smith, Gregory  
Gonzalez, Carlos  
Harvey, Suzanne  
Hopper, Gary  
Kurk, Neal  
Mangipudi, Latha  
Brown, Pamela  
Peterson, Ken  
Rosenwald, Cindy  
Vann, Ivy

Biggie, Barbara  
Cornell, Patricia  
Flanagan, Jack  
Gargas, Carolyn  
Guerette, C. Lee  
Heath, Mary  
Infantine, William  
Christiansen, Lars  
Manley, Jonathan  
McCarthy, Peggy  
Pierce, David  
Snow, Kendall  
Williams, Kermit

**MERRIMACK**

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Bradley, Paula

Alicea, Caroletta  
Rice, Chip

French, Barbara  
Carson, Clyde

Bartlett, Christy  
Doherty, David

Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Saunderson, George  
Wallner, Mary Jane

Gile, Mary  
Frazer, June  
Luneau, David  
Patten, Dick  
Schuett, Dianne  
Wheeler, Deborah

Henle, Paul  
Karrick, David  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Hess, David  
Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Walsh, Thomas

### ROCKINGHAM

Christie, Andrew  
Barnes, Arthur  
Cardon, G. Thomas  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
Gordon, Pamela  
Tilton, Rio  
Webb, James

Abrami, Patrick  
Berrien, Skip  
Chirichiello, Brian  
Edgar, Michael  
Fesh, Robert  
Green, Dennis  
Introne, Robert  
Major, Norman  
McKinney, Betsy  
Packard, Sherman  
Sherman, Thomas  
Welch, David

Allen, Mary  
Borden, David  
DeSimone, Debra  
Elliott, Robert  
Francesca, Paula  
Guthrie, Joseph  
Sweeney, Joe  
Manning, John  
Milz, David  
Pantelakos, Laura  
Simpson, Alexis  
Weyler, Kenneth

Azarian, Gary  
Cahill, Michael  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Heffron, Frank  
Ward, Joanne  
Matthews, Carolyn  
O'Connor, John  
Potucek, John  
Sytek, John  
Woitkun, Steven

### STRAFFORD

Baber, William  
Cilley, Jacalyn  
Ward, Kenneth  
Rollo, Deanna  
Wall, Janet

Berube, Roger  
DiSesa, Len  
Kaen, Naida  
Southworth, Thomas

Bickford, David  
Gardner, Janice  
Mullen, John  
Spang, Judith

Burton, Wayne  
Gray, James  
Schmidt, Peter  
Verschueren, James

### SULLIVAN

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Rollins, Skip

Irwin, Virginia

### NAYS - 126

#### BELKNAP

Aldrich, Glen  
Spanos, Peter

Gallagher, Brian  
Vadney, Herbert

Howard, Raymond  
Varney, Peter

Hurt, George

#### CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Ticehurst, Susan

### CHESHIRE

Tilton, Benjamin  
Phillips, Larry

Bordenet, John  
Robertson, Timothy

Roberts, Kris

McConnell, James

### COOS

Rideout, Leon

Theberge, Robert

### GRAFTON

Brown, Duane

Darrow, Stephen

Hull, Robert

Ingbretson, Paul

### HILLSBOROUGH

Adams, Christopher  
Boehm, Ralph  
Coffey, James  
Edwards, Elizabeth  
Gorman, Mary  
Hansen, Peter

Ammon, Keith  
Bouldin, Amanda  
Donovan, Daniel  
Estevez, Eric  
Gould, Linda  
Hogan, Edith

Griffin, Barbara  
Burt, John  
Eastman, Eric  
Ferreira, Elizabeth  
Goulette, William  
Belanger, James

Balcom, John  
Byron, Frank  
Edelblut, Frank  
Fromuth, Bart  
Halstead, Carolyn  
Rice, Kimberly

Lachance, Joseph  
McClarren, Donald  
Murphy, Keith  
Parison, James  
Scotsas, Lisa  
Twombly, Timothy

Leishman, Peter  
McLean, Mark  
Notter, Jeanine  
Christie, Rick  
Shaw, Barbara  
Ulery, Jordan

Marston, Dick  
Moore, Josh  
Ohm, Bill  
Sanborn, Laurie  
Simmons, Tammy  
Sullivan, Victoria

Martel, Andre  
Murotake, David  
Long, Patrick  
Schleien, Eric  
Smith, Timothy  
Zaricki, Nick

### MERRIMACK

Brewster, Michael  
Horn, Werner

French, Harold  
Kuch, Bill

Hill, Gregory  
Marple, Richard

Hoell, J.R.  
Seaworth, Brian

### ROCKINGHAM

Abramson, Max  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Harris, Jeffrey  
McMahon, Charles  
Gordon, Richard  
Tucker, Pamela

Baldasaro, Alfred  
Cook, Allen  
Duarte, Joe  
Hodgdon, Bruce  
Nigrello, Robert  
Schroadter, Adam  
Vose, Michael

Bates, David  
Cushing, Robert  
Rice, Frederick  
Itse, Daniel  
Oligny, Jeffrey  
Spillane, James

Bush, Carol  
Thomas, Douglas  
Gannon, William  
Kappler, Lawrence  
Prudhomme-O'Brien, Katherine  
True, Chris

### STRAFFORD

Beaudoin, Steven  
Graham, Robert  
Jones, Laura  
Smith, Marjorie  
Wuelper, Kurt

Bixby, Peter  
Groen, Warren  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Hannon, Joseph  
Knowles, Robert  
Treleaven, Susan

DeLemus, Susan  
Horrigan, Timothy  
Turcotte, Leonard  
Whitehouse, Joshua

### SULLIVAN

Cloutier, John  
and the motion was adopted.

Converse, Larry

Laware, Thomas

Smith, Steven

### CONSIDERATION OF HB 1000-FN-A

Rep. Hinch moved Ought to Pass.

Rep. Burt offered floor amendment (2174h).

#### Floor Amendment (2174h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making appropriations to the department of safety for purposes of the program and to the department of corrections for the purpose of paying increased county corrections costs resulting from the program.

Amend the bill by replacing section 6 with the following:

6 Appropriations; Department of Safety; Department of Corrections; Substance Abuse Enforcement Program; Correctional Costs.

I. The sum of \$1,350,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the substance abuse enforcement program under RSA 21-P:66.

II. The sum of \$150,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of corrections, for the purpose of funding distributions to the counties to pay for increased county corrections costs resulting from the substance abuse enforcement program under RSA 21-P:66.

III.(a)(1) For the purposes of funding the appropriations made in paragraphs I and II, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer 1/2 of said sums to 2 separate accounting units as follows:

(A) An accounting unit for enforcement activities, including grants to local and county agencies.

(B) An accounting unit for division of forensic science laboratory activities.

(2) The remaining 1/2 of said sums shall be transferred to the department of corrections.

(b) Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

### AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes appropriations to the department of safety for the program and to the department of corrections for the purpose of paying increased county corrections costs resulting from the program.

Rep. Burt spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

### YEAS 110 - NAYS 214

#### YEAS - 110

##### BELKNAP

Aldrich, Glen	Tilton, Franklin	Gallagher, Brian	Howard, Raymond
Hurt, George	LeBreche, Shari	Spanos, Peter	Sylvia, Michael
Vadney, Herbert	Varney, Peter		

##### CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Umberger, Karen
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##### CHESHIRE

Tilton, Benjamin	Roberts, Kris	McConnell, James	Phillips, Larry
Robertson, Timothy			

##### COOS

Rideout, Leon

##### GRAFTON

Brown, Duane	Darrow, Stephen	Hull, Robert	Ingbreton, Paul
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##### HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Coffey, James	Donovan, Daniel
Eastman, Eric	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Judy, Jean	Rice, Kimberly
Lachance, Joseph	Marston, Dick	Martel, Andre	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Palmer, Barry	Parison, James
Peterson, Ken	Christie, Rick	Schleien, Eric	Scontsas, Lisa
Simmons, Tammy	Twombly, Timothy	Ulery, Jordan	Zaricki, Nick

##### MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Marple, Richard	Seaworth, Brian	

##### ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Bush, Carol	Cushing, Robert	Thomas, Douglas	Dean-Bailey, Yvonne
Duarte, Joe	Rice, Frederick	Gannon, William	Green, Dennis
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel

Kappler, Lawrence  
Gordon, Richard  
Tucker, Pamela

Kolodziej, Walter  
Schroadter, Adam  
Vose, Michael

Oigny, Jeffrey  
Spillane, James

Prudhomme-O'Brien, Katherine  
True, Chris

### STRAFFORD

Beaudoin, Steven  
Hannon, Joseph  
Turcotte, Leonard

DeLemus, Susan  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Thomas  
Wuelper, Kurt

Groen, Warren  
Knowles, Robert

### SULLIVAN

Converse, Larry

Gagnon, Raymond

### NAYS - 214

### BELKNAP

Dumais, Russell

Fields, Dennis

Fraser, Valerie

### CARROLL

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill

Chandler, Gene  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

### CHESHIRE

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Sad, Tara

Bordenet, John  
Hunt, John  
Shepardson, Marjorie

### COOS

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

### GRAFTON

Abel, Richard  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Almy, Susan  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

### HILLSBOROUGH

Backus, Robert  
Biggie, Barbara  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
McCarthy, Peggy  
Proulx, Mark  
Snow, Kendall  
Sullivan, Victoria  
Woodbury, David

Balcom, John  
Byron, Frank  
Cornell, Patricia  
Edelblut, Frank  
Smith, Gregory  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Kurk, Neal  
O'Brien, Michael  
O'Neil, William  
Pellegrino, Anthony  
Rosenwald, Cindy  
Souza, Kathleen  
Vann, Ivy

Baroody, Benjamin  
Christensen, Chris  
Cote, David  
Flanagan, Jack  
Gargasz, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Hopper, Gary  
Christiansen, Lars  
Mangipudi, Latha  
Brown, Pamela  
Pierce, David  
Sanborn, Laurie  
Smith, Timothy  
Williams, Kermit

Barry, Richard  
Roberts, Carol  
Danielson, David  
Forest, Armand  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Belanger, James  
LeBrun, Donald  
Manley, Jonathan  
Long, Patrick  
Porter, Marjorie  
Shaw, Barbara  
Takesian, Charlene  
Wolf, Terry

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Gile, Mary

Alicea, Caroletta  
Rice, Chip  
Henle, Paul

French, Barbara  
Carson, Clyde  
Hess, David

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey

Frazer, June  
Luneau, David  
Patten, Dick  
Schuett, Dianne

Karrick, David  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen

Kenison, Linda  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

Kotowski, Frank  
Myler, Mel  
Saunderson, George  
Wheeler, Deborah

### ROCKINGHAM

Christie, Andrew  
Berrien, Skip  
Cardon, G. Thomas  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Sweeney, Joe  
Manning, John  
McMahon, Charles  
Gordon, Pamela  
Tilton, Rio  
Webb, James

Abrami, Patrick  
Borden, David  
Chirichiello, Brian  
Edgar, Michael  
Fesh, Robert  
Heffron, Frank  
Ward, Joanne  
Matthews, Carolyn  
Milz, David  
Packard, Sherman  
Sherman, Thomas  
Welch, David

Azarian, Gary  
Cahill, Michael  
DeSimone, Debra  
Elliott, Robert  
Francesse, Paula  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Pantelakos, Laura  
Simpson, Alexis  
Weyler, Kenneth

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Introne, Robert  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Sytek, John

### STRAFFORD

Baber, William  
Burton, Wayne  
Gardner, Janice  
Kaen, Naida  
Rollo, Deanna  
Verschueren, James

Berube, Roger  
Cheney, Catherine  
Gray, James  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

Bickford, David  
Cilley, Jacalyn  
Horrigan, Timothy  
Mullen, John  
Spang, Judith

Bixby, Peter  
DiSesa, Len  
Ward, Kenneth  
Schmidt, Peter  
Treleaven, Susan

### SULLIVAN

Cloutier, John  
Laware, Thomas

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Oxenham, Lee

Irwin, Virginia

and floor amendment (2174h) failed.

The House recessed at 12:05 p.m.

### RECESS

**(Rep. Edelblut in the Chair)**

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 114, 353, 605, 1227, 1301, 1307, 1339, 1377, 1396, 1503, 1547, 1584, 1590 and 2016 and Senate Bills numbered 391, 401, 411, 522 and 533.

Rep. Hinch, Sen. Prescott, for the Committee

The House reconvened at 1:30 p.m.

**(Speaker Jasper in the Chair)**

### CONSIDERATION OF HB 1000-FN-A (CONT'D)

The question now being adoption of the motion of Ought to Pass.

Rep. Hannon offered floor amendment (2187h).

### Floor Amendment (2187h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

Amend the bill by replacing all after section 6 with the following:

7 Sale of Hypodermic Syringes and Needles. RSA 318:52-c is repealed and reenacted to read as follows:

**318:52-c Sale of Hypodermic Syringes and Needles.**

I. No person shall sell, furnish, or give to any person, under 18 years of age, an instrument commonly known as a hypodermic syringe, hypodermic needle, or any instrument adapted for the administration of drugs by injection without the written or oral prescription of a duly licensed physician, dentist, veterinarian, podiatrist, or advanced practice registered nurse. Such prescription shall contain the name and address of the patient, the date of the prescription, the description of the instrument prescribed, and the number of instruments prescribed.

II. The following conditions shall apply to all purchases of hypodermic syringes or needles:

(a) Retailers and dispensers of hypodermic syringes, needles, or any instrument adapted for the administration of drugs by injection shall provide to each purchaser at the time of purchase information regarding the safe disposal of hypodermic syringes or needles, including local disposal locations or a telephone number to call for such information, if appropriate.

(b) Retailers and dispensers shall also provide purchasers with information on drug addiction treatment, including a local telephone number to get assistance, if appropriate.

8 New Paragraph; Controlled Drug Act; Definition Added. Amend RSA 318-B:1 by inserting after paragraph XXIX the following new paragraph:

XXIX-a. "Residual amount" means an unusable amount of a controlled substance in or on a hypodermic syringe or needle.

9 Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2, IV(d) to read as follows:

(d) The proximity of any residue of controlled substances, *except for hypodermic syringes and needles with or without residual amounts*;

10 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Practitioner. Amend RSA 318-B:17-a to read as follows:

318-B:17-a Disposal of Controlled Drugs in Possession of Practitioner. No person other than the pharmacy board, its officers, agents, and inspectors is authorized to destroy any out-dated, deteriorated, excessive or otherwise unwanted or confiscated controlled drugs which are in the possession of a practitioner, veterinarian, pharmacy, peace officer, nursing home, manufacturer, wholesaler, clinic, or laboratory or hospital. No payment shall be made to any person or institution for any drug surrendered for destruction. A record shall be maintained which indicates the name, strength, and quantity of all drugs destroyed; the place and manner of destruction; the date and time destroyed; the name of the practitioner or institution surrendering the drugs; and the signature and title of the person witnessing destruction. Such records shall conform to any federal requirements and shall be open to inspection by all federal or state officers charged with the enforcement of federal or state controlled drug laws.

***This section shall not apply to residual amounts in hypodermic syringes and needles.***

11 Controlled Drug Act; Penalties; Exception Added. Amend the introductory paragraph of RSA 318-B:26, I(c) to read as follows:

(c) *Except for residual amounts in hypodermic syringes and needles*, in the case of a violation involving any of the following, a person may be sentenced to a maximum term of imprisonment of not more than 7 years, a fine of not more than \$100,000, or both. If any person commits such a violation after one or more prior offenses as defined in RSA 318-B:27, such person may be sentenced to a maximum term of imprisonment of not more than 15 years, a fine of not more than \$200,000, or both:

12 Repeal. RSA 318:52-d, recording and filing of prescriptions for hypodermic syringes and needles, is repealed.

13 Effective Date.

I. Sections 3 and 5 of this act shall take effect July 1, 2017.

II. Sections 7-12 of this act shall take effect January 1, 2017.

III. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill also exempts residual amounts of controlled substances in hypodermic syringes and needles from the provisions of the controlled drug act. The bill also authorizes persons other than pharmacists to dispense hypodermic syringes and needles and allows them to be sold in retail establishments other than pharmacies.

Rep. Hannon spoke in favor.



Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 87 - NAYS 220**

**YEAS - 87**

**BELKNAP**

Aldrich, Glen  
Fraser, Valerie

Gallagher, Brian

Howard, Raymond

Hurt, George

**CARROLL**

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Ticehurst, Susan

**CHESHIRE**

Tilton, Benjamin  
Phillips, Larry

Bordenet, John

Roberts, Kris

McConnell, James

**COOS**

Fothergill, John

Rideout, Leon

**GRAFTON**

Abel, Richard

Bailey, Brad

Hull, Robert

**HILLSBOROUGH**

Ammon, Keith  
Edelblut, Frank  
Fromuth, Bart  
Halstead, Carolyn  
Lachance, Joseph  
Murphy, Keith  
Schleien, Eric  
Sullivan, Victoria

Bouldin, Amanda  
Edwards, Elizabeth  
Smith, Gregory  
Hansen, Peter  
Marston, Dick  
Notter, Jeanine  
Simmons, Tammy  
Williams, Kermit

Burt, John  
Estevez, Eric  
Gould, Linda  
Hogan, Edith  
McLean, Mark  
Ohm, Bill  
Twombly, Timothy  
Zaricki, Nick

Eastman, Eric  
Ferreira, Elizabeth  
Goulette, William  
Christiansen, Lars  
Moore, Josh  
Christie, Rick  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Horn, Werner

French, Harold  
Seaworth, Brian

Hill, Gregory

Hoell, J.R.

**ROCKINGHAM**

Abramson, Max  
Duarte, Joe  
Kappler, Lawrence  
Gordon, Richard  
Vose, Michael

Baldasaro, Alfred  
Rice, Frederick  
Kolodziej, Walter  
Schroadter, Adam

Bates, David  
Gannon, William  
Oigny, Jeffrey  
Spillane, James

Bush, Carol  
Itse, Daniel  
Prudhomme-O'Brien, Katherine  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Kaczynski, Thomas  
Whitehouse, Joshua

Bixby, Peter  
Hannon, Joseph  
Knowles, Robert  
Wuelper, Kurt

DeLemus, Susan  
Horrigan, Timothy  
Turcotte, Leonard

Graham, Robert  
Jones, Laura  
Pitre, Joseph

**NAYS - 220**

**BELKNAP**

Dumais, Russell  
Vadney, Herbert

Tilton, Franklin

Fields, Dennis

Spanos, Peter

**CARROLL**

Buco, Thomas  
Parker, Harold

Butler, Edward  
Schmidt, Stephen

McCarthy, Frank  
Umberger, Karen

Nelson, Bill

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Parkhurst, Henry  
Tatro, Bruce

Ames, Richard  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Hunt, John  
Shepardson, Marjorie

Chase, Cynthia  
Mann, John  
Sterling, Franklin

**COOS**

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Almy, Susan  
Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

Cooney, Mary  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Brown, Duane  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

Darrow, Stephen  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Griffin, Barbara  
Barry, Richard  
Christensen, Chris  
Cote, David  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Jack, Martin  
LeBrun, Donald  
Manley, Jonathan  
Long, Patrick  
Peterson, Ken  
Rosenwald, Cindy  
Snow, Kendall  
Vann, Ivy

Backus, Robert  
Biggie, Barbara  
Roberts, Carol  
Danielson, David  
Freitas, Mary  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Judy, Jean  
Leishman, Peter  
McNamara, Richard  
McCarthy, Peggy  
Pierce, David  
Sanborn, Laurie  
Souza, Kathleen  
Wolf, Terry

Balcom, John  
Boehm, Ralph  
Cohen, Alan  
DiSilvestro, Linda  
Gargas, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Hopper, Gary  
Rice, Kimberly  
O'Brien, Michael  
Murotake, David  
Palmer, Barry  
Porter, Marjorie  
Scotsas, Lisa  
Smith, Timothy  
Woodbury, David

Baroody, Benjamin  
Byron, Frank  
Cornell, Patricia  
Flanagan, Jack  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Infantine, William  
Kurk, Neal  
Mangipudi, Latha  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Shaw, Barbara  
Takesian, Charlene

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Gile, Mary  
Karrick, David  
Luneau, David  
Ratzki, Mario  
Walsh, Thomas

Alicea, Caroletta  
Rice, Chip  
Henle, Paul  
Kenison, Linda  
MacKay, James  
Rogers, Katherine  
Wallner, Mary Jane

French, Barbara  
Carson, Clyde  
Hirsch, Geoffrey  
Kotowski, Frank  
Marple, Richard  
Saunderson, George  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Frazer, June  
Kuch, Bill  
Moffett, Howard  
Shurtleff, Stephen

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Harris, Jeffrey  
Introne, Robert  
Manning, John  
McMahon, Charles  
Pantelakos, Laura  
Sytek, John  
Woitkun, Steven

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Thomas, Douglas  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Heffron, Frank  
Ward, Joanne  
Matthews, Carolyn  
Milz, David  
Potucek, John  
Webb, James

Allen, Mary  
Borden, David  
Chirichiello, Brian  
Dean-Bailey, Yvonne  
Edgar, Michael  
Fesh, Robert  
Green, Dennis  
Hodgdon, Bruce  
Griffin, Mary  
McBeath, Rebecca  
O'Connor, John  
Tilton, Rio  
Welch, David

Azarian, Gary  
Cahill, Michael  
Cook, Allen  
DeSimone, Debra  
Elliott, Robert  
Francese, Paula  
Guthrie, Joseph  
Hoelzel, Kathleen  
Major, Norman  
McKinney, Betsy  
Gordon, Pamela  
Simpson, Alexis  
Weyler, Kenneth

**STRAFFORD**

Baber, William	Berube, Roger	Burton, Wayne	Cheney, Catherine
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Mullen, John
Schmidt, Peter	Southworth, Thomas	Spang, Judith	Treleven, Susan
Verschueren, James	Wall, Janet		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Smith, Steven	

and floor amendment (2187h) failed.

The question being adoption of the motion of Ought to Pass.

Rep. Hoell offered floor amendment (2188h).

**Floor Amendment (2188h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and repealing the license requirement for carrying a concealed pistol or revolver.

Amend the bill by replacing all after section 6 with the following:

7 Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows:

159:6 License to Carry.

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose[~~and that the applicant is a suitable person to be licensed~~], ***unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm.*** Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for [4] 5 years. When required, license renewal shall take place within the month of the [fourth] ***fifth*** anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. ***The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009.*** No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew a license to carry for a resident or nonresident, unless requested by the applicant.

***III. The availability of a license to carry a loaded pistol or revolver under this section or under any other provision of law shall not be construed to impose a prohibition on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person, whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if that individual is not otherwise prohibited by statute from possessing a firearm in the state of New Hampshire.***

8 Pistols and Revolvers; Reciprocity. RSA 159:6-d is repealed and reenacted to read as follows:  
 159:6-d Reciprocity. The director of the division of state police shall negotiate and enter into reciprocal agreements with other jurisdictions to recognize in those jurisdictions the validity of the license issued under RSA 159:6. The director shall apply to every jurisdiction with which New Hampshire does not have a reciprocity agreement, at least once every 5 years to obtain recognition in those jurisdictions of the license issued under RSA 159:6. Any such agreement executed shall not expire unless an expiration date is required under the statutes of the reciprocal jurisdiction.

9 Repeal. RSA 159:4, relative to requiring a license to carry a concealed pistol or revolver, is repealed.  
 10 Effective Date.

I. Sections 3 and 5 of this act shall take effect July 1, 2017.

II. Sections 7-9 of this act shall take effect 60 days after its passage.

III. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

II. Increases the length of time for which a license to carry a pistol or revolver is valid.

III. Allows a person to carry a loaded, concealed pistol or revolver without a license provided such person is not otherwise prohibited by law.

IV. Repeals the requirement to obtain a license to carry a concealed pistol or revolver.

Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

### YEAS 100 - NAYS 214

#### YEAS - 100

##### BELKNAP

Aldrich, Glen  
 Hurt, George

Dumais, Russell  
 Fraser, Valerie

Gallagher, Brian  
 Vadney, Herbert

Howard, Raymond

##### CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

##### CHESHIRE

Hunt, John

McConnell, James

##### COOS

Rideout, Leon

##### GRAFTON

Bailey, Brad  
 Ingbreton, Paul

Brown, Duane

Darrow, Stephen

Hull, Robert

##### HILLSBOROUGH

Adams, Christopher  
 Bouldin, Amanda  
 Edelblut, Frank  
 Goley, Jeffrey  
 Hansen, Peter  
 Lachance, Joseph  
 Murotake, David  
 Christie, Rick  
 Simmons, Tammy  
 Zaricki, Nick

Ammon, Keith  
 Burt, John  
 Estevez, Eric  
 Gould, Linda  
 Hogan, Edith  
 Marston, Dick  
 Murphy, Keith  
 Sanborn, Laurie  
 Twombly, Timothy

Biggie, Barbara  
 Byron, Frank  
 Ferreira, Elizabeth  
 Goulette, William  
 Hopper, Gary  
 McLean, Mark  
 Notter, Jeanine  
 Schleien, Eric  
 Ulery, Jordan

Boehm, Ralph  
 Eastman, Eric  
 Fromuth, Bart  
 Halstead, Carolyn  
 Rice, Kimberly  
 Moore, Josh  
 Ohm, Bill  
 Scontsas, Lisa  
 Sullivan, Victoria

##### MERRIMACK

Brewster, Michael  
 Horn, Werner

French, Harold  
 Kuch, Bill

Hill, Gregory  
 Marple, Richard

Hoell, J.R.  
 Seaworth, Brian

**ROCKINGHAM**

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Green, Dennis  
Kappler, Lawrence  
Gordon, Richard  
Vose, Michael

Bates, David  
Duarte, Joe  
Harris, Jeffrey  
Kolodziej, Walter  
Schroadter, Adam

Chirichiello, Brian  
Rice, Frederick  
Hodgdon, Bruce  
Oigny, Jeffrey  
Spillane, James

Cook, Allen  
Gannon, William  
Itse, Daniel  
Prudhomme-O'Brien, Katherine  
True, Chris

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

Cheney, Catherine  
Hannon, Joseph  
Turcotte, Leonard

DeLemus, Susan  
Jones, Laura  
Pitre, Joseph

Graham, Robert  
Kaczynski, Thomas  
Whitehouse, Joshua

**SULLIVAN**

Converse, Larry

Laware, Thomas

Rollins, Skip

**NAYS - 214****BELKNAP**

Tilton, Franklin

Fields, Dennis

Spanos, Peter

**CARROLL**

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Nelson, Bill  
Umberger, Karen

Chandler, Gene  
Parker, Harold

McCarthy, Frank  
Schmidt, Stephen

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Roberts, Kris  
Robertson, Timothy  
Weber, Lucy

Ames, Richard  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

Tilton, Benjamin  
Eaton, Daniel  
Parkhurst, Henry  
Sterling, Franklin

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Almy, Susan  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

**HILLSBOROUGH**

Griffin, Barbara  
Barry, Richard  
Cornell, Patricia  
Edwards, Elizabeth  
Smith, Gregory  
Gorman, Mary  
Harvey, Suzanne  
Infantine, William  
Kurk, Neal  
O'Brien, Michael  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Souza, Kathleen  
Williams, Kermit

Backus, Robert  
Christensen, Chris  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Guerette, C. Lee  
Heath, Mary  
Belanger, James  
Christiansen, Lars  
Mangipudi, Latha  
Long, Patrick  
Peterson, Ken  
Rosenwald, Cindy  
Smith, Timothy  
Wolf, Terry

Balcom, John  
Roberts, Carol  
Danielson, David  
Forest, Armand  
Gidge, Kenneth  
Haefner, Robert  
Herbert, Christopher  
Jack, Martin  
LeBrun, Donald  
Manley, Jonathan  
McCarthy, Peggy  
Pierce, David  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

Baroody, Benjamin  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Judy, Jean  
Leishman, Peter  
McNamara, Richard  
Palmer, Barry  
Porter, Marjorie  
Snow, Kendall  
Vann, Ivy

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Gile, Mary  
Frazer, June  
Luneau, David  
Rogers, Katherine  
Wallner, Mary Jane

Alicea, Caroletta  
Rice, Chip  
Henle, Paul  
Karrick, David  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

French, Barbara  
Carson, Clyde  
Hess, David  
Kenison, Linda  
Moffett, Howard  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey  
Kotowski, Frank  
Ratzki, Mario  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Azarian, Gary  
Bush, Carol  
Cushing, Robert  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Introne, Robert  
Manning, John  
McMahon, Charles  
Gordon, Pamela  
Tilton, Rio  
Weyler, Kenneth

Abrami, Patrick  
Barnes, Arthur  
Cahill, Michael  
Thomas, Douglas  
Edgar, Michael  
Fesh, Robert  
Guthrie, Joseph  
Ward, Joanne  
Matthews, Carolyn  
Milz, David  
Packard, Sherman  
Sytek, John  
Woitkun, Steven

Abramson, Max  
Berrien, Skip  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Elliott, Robert  
Francesse, Paula  
Heffron, Frank  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Pantelakos, Laura  
Webb, James

Allen, Mary  
Borden, David  
Cardon, G. Thomas  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Hoelzel, Kathleen  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Welch, David

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Horrigan, Timothy  
Mullen, John  
Treleven, Susan

Berube, Roger  
DiSesa, Len  
Ward, Kenneth  
Schmidt, Peter  
Verschuereen, James

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

Burton, Wayne  
Gray, James  
Smith, Marjorie  
Spang, Judith

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Oxenham, Lee

Grenier, James  
Smith, Steven

and floor amendment (2188h) failed.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Abramson moved that the House reconsider its action whereby, on a roll call vote of 100-214, the House failed to adopt floor amendment (2188h) on **HB 1000-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

Rep. Whitehouse requested a roll call; not sufficiently seconded.

On a division vote, with 81 members having voted in the affirmative, and 231 in the negative, the motion failed.

The question being adoption of the motion of Ought to Pass.

Rep. Hoell offered floor amendment (2189h).

**Floor Amendment (2189h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and relative to school attendance in towns with no public schools.

Amend the bill by replacing all after section 6 with the following:

7 School Districts; Contracts With Schools. Amend RSA 194:22 to read as follows:  
194:22 Contracts With Schools.

*I.* Any school district may make a contract with an academy, high school, *private school*, or other literary institution located in this or, when distance or transportation facilities make it necessary, in another state, *to provide for the education of a pupil who resides in the district* and raise

and appropriate money to carry the contract into effect. If the contract is approved by the state board *of education or the school board of the school district in which the pupil resides*, the school with which it is made shall be deemed a high school maintained by the district.

**II. *If there is no public school for the child's grade in the resident district, the district may assign the child to another public school in another school district or to a private school which has been approved for attendance by the department of education.***

**III. *Notwithstanding any provision of law to the contrary, a school board may make a contract with any private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.***

8 School Districts; Tuition. Amend RSA 194:27 to read as follows:

194:27 Tuition. Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any pupil who with parents or guardian resides in said district, or who, as a resident of said district, after full investigation by the state board of education is determined to be entitled to have his or her tuition paid by the district where the pupil resides, and who attends an approved public high school [or], **a public school of corresponding grade in another district [or], an approved public academy, or a private school which has been approved for attendance by the department of education.** Except under contract as provided in RSA 194:22, the liability of any school district hereunder for the tuition of any pupil shall be the current expenses of operation of the receiving district for its high school, as estimated by the state board of education for the preceding school year. This current expense of operation shall include all costs except costs of transportation of pupils.

9 School Money; District Taxes; Estimates. Amend RSA 198:4 to read as follows:

198:4 Estimates. The school board of each district in its annual report shall state in detail the additional sums of money, if any, which will be required during the ensuing fiscal year for the support of the public schools, for the purchase of textbooks, scholars' supplies, flags and appurtenances, for the payment of the tuition of the pupils in the district in high schools [and], academies, **or private schools** in accordance with law, and for the payment of all other statutory obligations of the district.

10 New Paragraph; School Boards; Duty to Provide Education. Amend RSA 189:1-a by inserting after paragraph III the following new paragraph:

IV. Notwithstanding any provision of law to the contrary, a school board may make a contract with any private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.

11 Effective Date.

I. Sections 3 and 5 of this act shall take effect July 1, 2017.

II. Sections 7-10 of this act shall take effect 60 days after its passage.

III. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill also allows a school district to assign a child to another public school in another school district or to an approved private school if there is no public school for the child's grade in the child's resident district. The bill also allows a school board to make a contract with a private school to provide for the education of a child who resides in a district which does not have a public school at the child's grade level.

Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

### YEAS 95 - NAYS 219

YEAS - 95

BELKNAP

Aldrich, Glen  
Hurt, George

Dumais, Russell  
Fraser, Valerie

Gallagher, Brian  
Vadney, Herbert

Howard, Raymond

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
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**CHESHIRE**

Hunt, John	McConnell, James
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**COOS**

Rideout, Leon
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**GRAFTON**

Brown, Duane	Hull, Robert	Ingbertson, Paul
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**HILLSBOROUGH**

Adams, Christopher	Ammon, Keith	Balcom, John	Biggie, Barbara
Boehm, Ralph	Bouldin, Amanda	Burt, John	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gould, Linda	Goulette, William	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Rice, Kimberly	Christiansen, Lars	Lachance, Joseph
Marston, Dick	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Christie, Rick	Sanborn, Laurie
Schleien, Eric	Scotsas, Lisa	Simmons, Tammy	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	Zaricki, Nick	

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Seaworth, Brian

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Thomas, Douglas
Dean-Bailey, Yvonne	Duarte, Joe	Rice, Frederick	Gannon, William
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kolodziej, Walter	Oigny, Jeffrey	Prudhomme-O'Brien, Katherine
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris
Vose, Michael			

**STRAFFORD**

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Thomas
Knowles, Robert	Turcotte, Leonard	Pitre, Joseph	Whitehouse, Joshua
Wuelper, Kurt			

**SULLIVAN**

Rollins, Skip
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**NAYS - 219****BELKNAP**

Tilton, Franklin	Fields, Dennis	Spanos, Peter
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**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Roberts, Kris	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			



**COOS**

Fothergill, John  
Richardson, Herbert

Froburg, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Darrow, Stephen  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

Bailey, Brad  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara  
Byron, Frank  
Cornell, Patricia  
Edwards, Elizabeth  
Smith, Gregory  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Judy, Jean  
O'Brien, Michael  
Murotake, David  
Palmer, Barry  
Porter, Marjorie  
Snow, Kendall  
Vann, Ivy

Backus, Robert  
Christensen, Chris  
Cote, David  
Flanagan, Jack  
Gargasz, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Hopper, Gary  
Kurk, Neal  
Mangipudi, Latha  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Souza, Kathleen  
Williams, Kermit

Baroody, Benjamin  
Roberts, Carol  
Danielson, David  
Forest, Armand  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Belanger, James  
LeBrun, Donald  
Manley, Jonathan  
Long, Patrick  
Peterson, Ken  
Rosenwald, Cindy  
Smith, Timothy  
Wolf, Terry

Barry, Richard  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
McCarthy, Peggy  
Pierce, David  
Shaw, Barbara  
Takesian, Charlene  
Woodbury, David

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Gile, Mary  
Frazer, June  
Luneau, David  
Rogers, Katherine  
Wallner, Mary Jane

Alicea, Caroletta  
Rice, Chip  
Henle, Paul  
Karrick, David  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

French, Barbara  
Carson, Clyde  
Hess, David  
Kenison, Linda  
Moffett, Howard  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey  
Kotowski, Frank  
Ratzki, Mario  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cahill, Michael  
Cook, Allen  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Introne, Robert  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Welch, David

Abrami, Patrick  
Berrien, Skip  
Cali-Pitts, Jacqueline  
Cushing, Robert  
Edgar, Michael  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe  
Manning, John  
McMahon, Charles  
Gordon, Pamela  
Tilton, Rio  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Cardon, G. Thomas  
DeSimone, Debra  
Elliott, Robert  
Francese, Paula  
Heffron, Frank  
Ward, Joanne  
Matthews, Carolyn  
Milz, David  
Packard, Sherman  
Sytek, John  
Woitkun, Steven

Azarian, Gary  
Bush, Carol  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Pantelakos, Laura  
Webb, James

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Horriggan, Timothy  
Mullen, John  
Treleaven, Susan

Berube, Roger  
DiSesa, Len  
Ward, Kenneth  
Schmidt, Peter  
Verschueren, James

Bixby, Peter  
Gardner, Janice  
Kaen, Naida  
Southworth, Thomas  
Wall, Janet

Burton, Wayne  
Gray, James  
Smith, Marjorie  
Spang, Judith

**SULLIVAN**

Cloutier, John  
Grenier, James  
Oxenham, Lee  
and floor amendment (2189h) failed.

Converse, Larry  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Laware, Thomas

Gottling, Suzanne  
O'Hearne, Andrew

The question being adoption of the motion of Ought to Pass.  
Rep. Rideout offered floor amendment (2190h).

**Floor Amendment (2190h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and including a fetus in the definition of "another" for the purpose of certain criminal offenses.

Amend the bill by replacing all after section 6 with the following:

7 Homicide; Capital Murder. Amend RSA 630:1, IV to read as follows:

IV. As used in this section [~~and RSA 630:1-a, 1-b, 2, 3 and 4~~], the meaning of "another" [~~does~~] *shall* not include a [~~fœtus~~] *fetus*.

8 New Paragraphs; First Degree Murder; Definition of Another; Exemption for Abortion. Amend RSA 630:1-a by inserting after paragraph III the following new paragraphs:

IV. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, and RSA 630:4, the meaning of "another" shall mean another person, or a fetus as defined in subparagraph V(b).

V.(a) Nothing in this section or RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4 shall apply to any act committed by the woman pregnant with the fetus, to any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian, or to the lawful dispensation or administration of lawfully prescribed medication. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4, "abortion" means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the fetus. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of a fetus, or to remove a dead fetus caused by spontaneous abortion, or to remove an ectopic pregnancy.

(b) In this section, "fetus" means an unborn offspring, from the embryo stage which is the end of the eighth week after conception or, in the case of in vitro fertilization, the end of the eighth week after implantation, until birth.

9 Effective Date.

I. Sections 3 and 5 of this act shall take effect July 1, 2017.

II. Sections 7-8 of this act shall take effect January 1, 2017.

III. The remainder of this act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill provides that a fetus shall be included in the definition of "another" for the purpose of first and second degree murder, manslaughter, negligent homicide, and causing or aiding suicide. Rep. Rideout spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

**YEAS 93 - NAYS 222**

**YEAS - 93**  
**BELKNAP**

Aldrich, Glen  
Hurt, George

Dumais, Russell  
Fraser, Valerie

Gallagher, Brian

Howard, Raymond

**CARROLL**

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
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**CHESHIRE**

McConnell, James

**COOS**

Fothergill, John	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Brown, Duane	Hull, Robert	Ingbretson, Paul
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**HILLSBOROUGH**

Ammon, Keith	Boehm, Ralph	Burt, John	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gould, Linda	Goulette, William	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Lachance, Joseph	Marston, Dick
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Palmer, Barry	Christie, Rick
Sanborn, Laurie	Schleien, Eric	Simmons, Tammy	Souza, Kathleen
Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria	Zaricki, Nick

**MERRIMACK**

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Seaworth, Brian

**ROCKINGHAM**

Abramson, Max	Baldasaro, Alfred	Bates, David	Chirichiello, Brian
Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe	Rice, Frederick
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter	Oigny, Jeffrey
Prudhomme-O'Brien, Katherine	Gordon, Richard	Schroadter, Adam	Spillane, James
True, Chris	Vose, Michael		

**STRAFFORD**

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Thomas
Knowles, Robert	Turcotte, Leonard	Pitre, Joseph	Whitehouse, Joshua
Wuelper, Kurt			

**SULLIVAN**

Rollins, Skip

**NAYS - 222**

**BELKNAP**

Tilton, Franklin	Fields, Dennis	Spanos, Peter	Vadney, Herbert
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**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys

Hunt, John  
Phillips, Larry  
Tatro, Bruce

Roberts, Kris  
Robertson, Timothy  
Weber, Lucy

Mann, John  
Shepardson, Marjorie

Parkhurst, Henry  
Sterling, Franklin

### COOS

Frobург, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

### GRAFTON

Abel, Richard  
Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

Almy, Susan  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

Darrow, Stephen  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

### HILLSBOROUGH

Griffin, Barbara  
Barry, Richard  
Christensen, Chris  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Gorman, Mary  
Harvey, Suzanne  
Belanger, James  
Kurk, Neal  
O'Brien, Michael  
Brown, Pamela  
Peterson, Ken  
Rosenwald, Cindy  
Smith, Timothy  
Wolf, Terry

Backus, Robert  
Biggie, Barbara  
Roberts, Carol  
Danielson, David  
Forest, Armand  
Gidge, Kenneth  
Guerette, C. Lee  
Heath, Mary  
Jack, Martin  
Christiansen, Lars  
Mangipudi, Latha  
Long, Patrick  
Pierce, David  
Scoutsas, Lisa  
Takesian, Charlene  
Woodbury, David

Balcom, John  
Bouldin, Amanda  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Jeu, Jean  
LeBrun, Donald  
Manley, Jonathan  
McCarthy, Peggy  
Porter, Marjorie  
Shaw, Barbara  
Vann, Ivy

Baroody, Benjamin  
Byron, Frank  
Cornell, Patricia  
Edwards, Elizabeth  
Smith, Gregory  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Rice, Kimberly  
Leishman, Peter  
McNamara, Richard  
Pellegrino, Anthony  
Proulx, Mark  
Snow, Kendall  
Williams, Kermit

### MERRIMACK

Turcotte, Alan  
Bradley, Paula  
Gile, Mary  
Frazer, June  
Luneau, David  
Rogers, Katherine  
Wallner, Mary Jane

Alicea, Caroletta  
Rice, Chip  
Henle, Paul  
Karrick, David  
MacKay, James  
Saunders, George  
Wheeler, Deborah

French, Barbara  
Carson, Clyde  
Hess, David  
Kenison, Linda  
Moffett, Howard  
Shurtleff, Stephen

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey  
Kotowski, Frank  
Ratzki, Mario  
Walsh, Thomas

### ROCKINGHAM

Christie, Andrew  
Barnes, Arthur  
Cahill, Michael  
Thomas, Douglas  
Edgar, Michael  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe  
Manning, John  
McMahon, Charles  
Gordon, Pamela  
Tilton, Rio  
Welch, David

Abrami, Patrick  
Berrien, Skip  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Elliott, Robert  
Francese, Paula  
Heffron, Frank  
Ward, Joanne  
Matthews, Carolyn  
Milz, David  
Packard, Sherman  
Sherman, Thomas  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Cardon, G. Thomas  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Hoelzel, Kathleen  
Griffin, Mary  
McBeath, Rebecca  
Nigrello, Robert  
Pantelakos, Laura  
Sytek, John  
Woitkun, Steven

Azarian, Gary  
Bush, Carol  
Cushing, Robert  
DiFranco, Debbie  
Ferrante, Beverly  
Ward, Gerald  
Introne, Robert  
Major, Norman  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Webb, James

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Ward, Kenneth	Kaen, Naida	Smith, Marjorie
Mullen, John	Schmidt, Peter	Southworth, Thomas	Spang, Judith
Treleaven, Susan	Verschueren, James	Wall, Janet	

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Smith, Steven		

and floor amendment (2190h) failed.

The question being adoption of the motion of Ought to Pass.  
Rep. Hannon offered floor amendment (2193h).

**Floor Amendment (2193h)**

Amend the bill by replacing all after section 2 with the following:

3 New Subparagraph; Administrative Procedures Act; Exceptions. Amend RSA 541-A:21, I by inserting after subparagraph (hh) the following new subparagraph:

(ii) RSA 21-P:67, relative to the substance abuse enforcement program.

4 Appropriation; Department of Safety; Substance Abuse Enforcement Program.

I. The sum of \$1,500,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the substance abuse enforcement program under RSA 21-P:66.

II.(a) For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to 2 separate accounting units as follows:

(1) An accounting unit for enforcement activities, including grants to local and county agencies.

(2) An accounting unit for division of forensic science laboratory activities.

(b) Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

5 Repeal. The following are repealed:

I. RSA 21-P:66 through RSA 21-P:67, relative to the substance abuse enforcement program.

II. RSA 541-A:21, I(ii), relative to a rulemaking exception for the substance abuse enforcement program.

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2017.

II. The remainder of this act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

The provisions of this bill are repealed on July 1, 2017.

Rep. Hannon spoke in favor.

On a division vote, with 93 members having voted in the affirmative, and 222 in the negative, floor amendment (2193h) failed.

The question being adoption of the motion of Ought to Pass.

Rep. Victoria Sullivan offered floor amendment (2194h).

**Floor Amendment (2194h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and relative to drug take-back programs.

Amend the bill by replacing all after section 6 with the following:

7 Controlled and Noncontrolled Drug Take-Back Programs. Amend the chapter heading of RSA 318-E to read as follows:

CHAPTER 318-E  
CONTROLLED AND NONCONTROLLED  
[PHARMACEUTICAL] DRUG TAKE-BACK PROGRAMS

8 Controlled and Noncontrolled Drug Take-Back Programs. Amend RSA 318-E:1 to read as follows:  
318-E:1 [Pharmaceutical] Drug Take-Back Programs Authorized.

I. A local, county, regional, state, or other governmental entity or private entity in conjunction with the chief law enforcement officer of a law enforcement agency may establish a controlled and noncontrolled pharmaceutical ~~[drug]~~ **and illicit drug and drug paraphernalia** take-back program. For the purposes of this chapter, [~~“pharmaceutical drug”~~] **“drug”** means a prescription or over-the-counter drug, including, but not limited to, controlled drugs as defined in ~~[this chapter]~~ **RSA 318-B and any illicit drugs such as cocaine, heroin, and paraphernalia.**

I-a. A registered pharmacy may establish a controlled and noncontrolled pharmaceutical drug take-back program provided it complies with the United States Drug Enforcement Administration regulations, 21 C.F.R. part 1300 et seq.

II. A ~~[pharmaceutical]~~ drug take-back program established by a local, county, regional, state, or other governmental entity or private entity shall enable individuals ~~[with dispensed drugs]~~ to voluntarily return the unused drugs for collection, storage, and disposal in accordance with applicable state and federal statutes and regulations **without penalty and with amnesty.**

III. The department of justice, in consultation with the pharmacy board, the department of safety, and the department of environmental services shall establish rules, pursuant to RSA 541-A, for the collection, storage, and disposal of collected drugs in accordance with applicable state and federal statutes and regulations.

IV. The disposal requirements for controlled drugs stipulated in RSA 318-B:17 shall not apply to controlled and noncontrolled drugs collected in accordance with this section.

V. Nothing in the implementation of a ~~[pharmaceutical]~~ drug take-back program shall require, at the place of collection, any individual who is returning drugs to disclose his or her personal identification in order to return unused drugs.

VI. ~~[Pharmaceutical]~~ Drug take-back programs established under this chapter may accept public and private grants and donations of money for the purpose of covering the costs of such programs, including, but not limited to public funds appropriated for this purpose ~~and a fee from participating individuals returning unused pharmaceuticals~~.

**VII. Persons who return drugs or paraphernalia may be provided with the opportunity to speak with an employee, staff member, or volunteer who shall aid them in finding suitable rehabilitation assistance.**

9 Effective Date.

I. Sections 3 and 5 of this act shall take effect July 1, 2017.

II. Sections 7 and 8 of this act shall take effect January 1, 2017.

III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill also adds illicit drugs and drug paraphernalia to the drug take-back programs. Under this bill, the drug take-back program may have an on site employee, staff member, or volunteer to offer aid to the persons returning the drugs in finding suitable rehabilitation assistance.

Rep. Victoria Sullivan spoke in favor.

On a division vote, with 101 members having voted in the affirmative, and 213 in the negative, floor amendment (2194h) failed.

### **MOTION TO SUSPEND HOUSE RULES**

Rep. Phillips moved that House Rules be so far suspended as to allow consideration of floor amendments to HB 1000-FN-A that are non-germane.

Rep. Phillips requested a roll call; sufficiently seconded.

### **YEAS 91 - NAYS 223**

#### **YEAS - 91**

#### **BELKNAP**

Aldrich, Glen  
Fraser, Valerie

Howard, Raymond  
Vadney, Herbert

Hurt, George

Spanos, Peter

#### **CARROLL**

Avellani, Lino

Comeau, Ed

Ticehurst, Susan

#### **CHESHIRE**

Bordenet, John  
Robertson, Timothy

Roberts, Kris

McConnell, James

Phillips, Larry

#### **GRAFTON**

Darrow, Stephen

Hull, Robert

Ingretson, Paul

#### **HILLSBOROUGH**

Ammon, Keith  
Eastman, Eric  
Fromuth, Bart  
Halstead, Carolyn  
Infantine, William  
Marston, Dick  
Murphy, Keith  
Schleien, Eric  
Ulery, Jordan

Boehm, Ralph  
Edelblut, Frank  
Gidge, Kenneth  
Hansen, Peter  
Rice, Kimberly  
McLean, Mark  
Notter, Jeanine  
Scotsas, Lisa  
Sullivan, Victoria

Bouldin, Amanda  
Edwards, Elizabeth  
Gould, Linda  
Hogan, Edith  
Christiansen, Lars  
Moore, Josh  
Ohm, Bill  
Simmons, Tammy  
Vann, Ivy

Burt, John  
Ferreira, Elizabeth  
Goulette, William  
Hopper, Gary  
Lachance, Joseph  
Murotake, David  
Christie, Rick  
Twombly, Timothy  
Zaricki, Nick

#### **MERRIMACK**

Brewster, Michael  
Marple, Richard

French, Harold  
Seaworth, Brian

Hill, Gregory

Hoell, J.R.

#### **ROCKINGHAM**

Abramson, Max  
Cushing, Robert  
Green, Dennis  
Kappler, Lawrence  
Schroader, Adam

Baldasaro, Alfred  
Dean-Bailey, Yvonne  
Harris, Jeffrey  
Kolodziej, Walter  
Spillane, James

Bates, David  
Duarte, Joe  
Heffron, Frank  
Oigny, Jeffrey  
True, Chris

Cook, Allen  
Gannon, William  
Itse, Daniel  
Prudhomme-O'Brien, Katherine  
Vose, Michael

#### **STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Knowles, Robert

Bixby, Peter  
Hannon, Joseph  
Turcotte, Leonard

Cheney, Catherine  
Jones, Laura  
Whitehouse, Joshua

DeLemus, Susan  
Kaczynski, Thomas  
Wuelper, Kurt

### **NAYS - 223**

#### **BELKNAP**

Dumais, Russell

Tilton, Franklin

Fields, Dennis

Gallagher, Brian

**CARROLL**

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Chase, Cynthia  
Mann, John  
Tatro, Bruce

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Weber, Lucy

Tilton, Benjamin  
Johnsen, Gladys  
Shepardson, Marjorie

Berch, Paul  
Hunt, John  
Sterling, Franklin

**COOS**

Fothergill, John  
Richardson, Herbert

Frobург, Alethea  
Theberge, Robert

Hatch, William  
Tholl, John

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Brown, Duane  
Higgins, Patricia  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Hennessey, Erin  
Ladd, Rick  
Brown, Rebecca

Bailey, Brad  
Ford, Susan  
Hennessey, Martha  
Smith, Suzanne

Cooney, Mary  
Gionet, Edmond  
Maes, Kevin  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara  
Barry, Richard  
Roberts, Carol  
Danielson, David  
Forest, Armand  
Goley, Jeffrey  
Haefner, Robert  
Herbert, Christopher  
Judy, Jean  
O'Brien, Michael  
Brown, Pamela  
Pellegrino, Anthony  
Proulx, Mark  
Snow, Kendall  
Williams, Kermit

Backus, Robert  
Biggie, Barbara  
Cohen, Alan  
DiSilvestro, Linda  
Freitas, Mary  
Gonzalez, Carlos  
Hansberry, Daniel  
Hinch, Richard  
Kurk, Neal  
Mangipudi, Latha  
Long, Patrick  
Peterson, Ken  
Rosenwald, Cindy  
Souza, Kathleen  
Wolf, Terry

Balcom, John  
Byron, Frank  
Cornell, Patricia  
Estevez, Eric  
Smith, Gregory  
Gorman, Mary  
Harvey, Suzanne  
Belanger, James  
LeBrun, Donald  
Manley, Jonathan  
McCarthy, Peggy  
Pierce, David  
Sanborn, Laurie  
Smith, Timothy  
Woodbury, David

Baroody, Benjamin  
Christensen, Chris  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Guerette, C. Lee  
Heath, Mary  
Jack, Martin  
Leishman, Peter  
McNamara, Richard  
Palmer, Barry  
Porter, Marjorie  
Shaw, Barbara  
Takesian, Charlene

**MERRIMACK**

Turcotte, Alan  
Bradley, Paula  
Gile, Mary  
Horn, Werner  
Kotowski, Frank  
Moffett, Howard  
Shurtleff, Stephen

Alicea, Caroletta  
Rice, Chip  
Henle, Paul  
Frazer, June  
Kuch, Bill  
Ratzki, Mario  
Walsh, Thomas

French, Barbara  
Carson, Clyde  
Hess, David  
Karrick, David  
Luneau, David  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Doherty, David  
Hirsch, Geoffrey  
Kenison, Linda  
MacKay, James  
Saunderson, George  
Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew  
Barnes, Arthur  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Elliott, Robert  
Fesh, Robert  
Guthrie, Joseph  
Sweeney, Joe

Abrami, Patrick  
Berrien, Skip  
Cardon, G. Thomas  
Devine, James  
Emerick, J. Tracy  
Francesse, Paula  
Hodgdon, Bruce  
Ward, Joanne

Allen, Mary  
Bush, Carol  
Chirichiello, Brian  
DiFranco, Debbie  
Rice, Frederick  
Friel, William  
Hoelzel, Kathleen  
Griffin, Mary

Azarian, Gary  
Cahill, Michael  
Thomas, Douglas  
Edgar, Michael  
Ferrante, Beverly  
Ward, Gerald  
Introne, Robert  
Major, Norman



Manning, John  
McMahon, Charles  
Gordon, Pamela  
Gordon, Richard  
Webb, James

Matthews, Carolyn  
Milz, David  
Packard, Sherman  
Tilton, Rio  
Welch, David

McBeath, Rebecca  
Nigrello, Robert  
Pantelakos, Laura  
Sherman, Thomas  
Weyler, Kenneth

McKinney, Betsy  
O'Connor, John  
Potucek, John  
Sytek, John  
Woitkun, Steven

**STRAFFORD**

Baber, William  
DiSesa, Len  
Horrigan, Timothy  
Mullen, John  
Spang, Judith

Berube, Roger  
Gardner, Janice  
Ward, Kenneth  
Schmidt, Peter  
Treleaven, Susan

Burton, Wayne  
Graham, Robert  
Kaen, Naida  
Pitre, Joseph  
Verschuere, James

Cilley, Jacalyn  
Gray, James  
Smith, Marjorie  
Southworth, Thomas  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Grenier, James  
Oxenham, Lee  
and the motion failed.

Converse, Larry  
Irwin, Virginia  
Rollins, Skip

Gagnon, Raymond  
Laware, Thomas  
Smith, Steven

Gottling, Suzanne  
O'Heame, Andrew

The question being adoption of the motion of Ought to Pass.

**MOTION TO AMEND DEBATE LIMIT**

Rep. Itse moved to amend the debate limit previously adopted.  
The Speaker ruled the motion out of order.

The question now being adoption of the motion of Ought to Pass on HB 1000-FN-A.  
Reps. Umberger, Shurtleff and Hinch spoke in favor.  
Rep. Burt spoke against.  
Rep. Hinch requested a roll call; sufficiently seconded.

**YEAS 235 - NAYS 74**

**YEAS - 235**

**BELKNAP**

Dumais, Russell  
Hurt, George

Tilton, Franklin  
Spanos, Peter

Fields, Dennis  
Fraser, Valerie

Gallagher, Brian

**CARROLL**

Buco, Thomas  
McCarthy, Frank  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Parker, Harold

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Hunt, John  
Sterling, Franklin

Ames, Richard  
Chase, Cynthia  
Mann, John  
Tatro, Bruce

Tilton, Benjamin  
Eaton, Daniel  
Parkhurst, Henry  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Shepardson, Marjorie

**COOS**

Fothergill, John  
Richardson, Herbert  
Thomas, Yvonne

Froburg, Alethea  
Rideout, Leon

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Tholl, John

**GRAFTON**

Abel, Richard  
Brown, Duane  
Gionet, Edmond  
Maes, Kevin  
Townsend, Charles

Almy, Susan  
Darrow, Stephen  
Higgins, Patricia  
Piper, Wendy

Bailey, Brad  
Hennessey, Erin  
Ladd, Rick  
Smith, Suzanne

Cooney, Mary  
Ford, Susan  
Hennessey, Martha  
Sykes, George

**HILLSBOROUGH**

Griffin, Barbara	Backus, Robert	Balcom, John	Baroody, Benjamin
Barry, Richard	Biggie, Barbara	Byron, Frank	Christensen, Chris
Roberts, Carol	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Forest, Armand	Freitas, Mary
Smith, Gregory	Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Gould, Linda	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Hopper, Gary	Infantine, William
Belanger, James	Jack, Martin	Jeudy, Jean	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	O'Brien, Michael	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Long, Patrick	McCarthy, Peggy
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Rosenwald, Cindy	Sanborn, Laurie
Shaw, Barbara	Snow, Kendall	Souza, Kathleen	Smith, Timothy
Takesian, Charlene	Vann, Ivy	Williams, Kermit	Wolf, Terry
Woodbury, David			

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	Rice, Chip	Carson, Clyde	Doherty, David
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Horn, Werner	Frazer, June	Karrick, David	Kenison, Linda
Kotowski, Frank	Kuch, Bill	Luneau, David	MacKay, James
Moffett, Howard	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Shurtleff, Stephen	Walsh, Thomas	Wallner, Mary Jane	Wheeler, Deborah

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Allen, Mary	Azarian, Gary
Barnes, Arthur	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen
Thomas, Douglas	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
DiFranco, Debbie	Edgar, Michael	Elliott, Robert	Emerick, J. Tracy
Rice, Frederick	Ferrante, Beverly	Fesh, Robert	Francesse, Paula
Friel, William	Ward, Gerald	Gannon, William	Green, Dennis
Guthrie, Joseph	Hoelzel, Kathleen	Introne, Robert	Sweeney, Joe
Ward, Joanne	Griffin, Mary	Major, Norman	Manning, John
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Gordon, Pamela
Packard, Sherman	Pantelakos, Laura	Potucek, John	Prudhomme-O'Brien, Katherine
Tilton, Rio	Sherman, Thomas	Sytek, John	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Graham, Robert	Gray, James	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida	Knowles, Robert	Smith, Marjorie	Mullen, John
Schmidt, Peter	Southworth, Thomas	Spang, Judith	Treleven, Susan
Verschueren, James	Wall, Janet		

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Smith, Steven	

**NAYS - 74****BELKNAP**

Aldrich, Glen

Howard, Raymond

Vadney, Herbert

**CARROLL**

Avellani, Lino

Comeau, Ed

Ticehurst, Susan

**CHESHIRE**

Roberts, Kris

McConnell, James

Phillips, Larry

Robertson, Timothy

**GRAFTON**

Hull, Robert

**HILLSBOROUGH**

Ammon, Keith

Boehm, Ralph

Bouldin, Amanda

Burt, John

Eastman, Eric

Edelblut, Frank

Edwards, Elizabeth

Estevez, Eric

Ferreira, Elizabeth

Fromuth, Bart

Goulette, William

Halstead, Carolyn

Hansen, Peter

Hogan, Edith

Rice, Kimberly

Kurk, Neal

Marston, Dick

McLean, Mark

Moore, Josh

Murotake, David

Murphy, Keith

Notter, Jeanine

Ohm, Bill

Scontsas, Lisa

Simmons, Tammy

Twombly, Timothy

Ulery, Jordan

Sullivan, Victoria

Zaricki, Nick

**MERRIMACK**

Brewster, Michael

French, Harold

Hill, Gregory

Hoell, J.R.

Marple, Richard

Seaworth, Brian

**ROCKINGHAM**

Abramson, Max

Baldasaro, Alfred

Bates, David

Bush, Carol

Cushing, Robert

Duarte, Joe

Harris, Jeffrey

Heffron, Frank

Hodgdon, Bruce

Itse, Daniel

Kappler, Lawrence

Kolodziej, Walter

Olinry, Jeffrey

Gordon, Richard

Schroadter, Adam

Spillane, James

True, Chris

Vose, Michael

**STRAFFORD**

Beaudoin, Steven

DeLemus, Susan

Groen, Warren

Hannon, Joseph

Jones, Laura

Kaczynski, Thomas

Turcotte, Leonard

Pitre, Joseph

Whitehouse, Joshua

Wuelper, Kurt

and the motion was adopted and ordered to third reading.

**RESOLUTION**

Reps. Hinch and Shurtleff offered the following: **RESOLVED**, that House Bill 1000-FN-A be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time.

Motion adopted.

**Third Reading and Final Passage**

**HB 1000-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

**GOVERNOR'S VETO MESSAGE ON HB 512**

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 9, 2016, I have vetoed House Bill 512, prohibiting the confiscation of firearms, ammunition, or firearms accessories during a state of emergency. "Current New Hampshire law, RSA 4:46, already makes clear that the state cannot confiscate firearms and ammunition as a result of a state of emergency. This bill had two main components. The first added 'firearms accessories' to the items that could not be confiscated – a change that I would have signed into law. The second provision

would subject members of law enforcement, members of the National Guard and even private security officers to personal civil penalties and lawsuits. This provision has raised serious concerns with the New Hampshire Association of Chiefs of Police and the New Hampshire Police Association, and it is because of those concerns that I am vetoing House Bill 512. "In a letter, the New Hampshire Association of Chiefs of Police wrote: 'This legislation endangers the safety of New Hampshire citizens and broadly overextends the State's influence on local control. This bill restricts the taking of firearms, firearm accessories, ammunition, or ammunition components during a declared state of emergency. It does not offer an exception for seizure of firearms or ammunition if they are used in the commission of a crime or part of a protective order. Furthermore, this legislation infringes on local control by legislating specific corrective and disciplinary actions historically held by the local government.' "In a state of emergency, there may still be reasons – violation of a domestic violence restraining order or criminal activity, for instance – that demand the lawful seizure of a weapon. Police officers should not fear that if they follow lawful orders during a state of emergency that they will be subject to personal lawsuits and personal fines, which could be thousands of dollars. Even if, and when, a civil court ultimately finds that they were acting in accordance with the law in a particular case, the police officer may still incur significant personal costs in defending themselves. "Current law already provides remedies, including compensation to individuals, for property taken during a state of emergency. There is no compelling reason to subject individual members of law enforcement to civil penalties, including fear of losing their lifesavings or home for doing their job appropriately and exercising their lawful duty to maintain public safety. Therefore, I have vetoed House Bill 512."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 512**, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency, become law?

Rep. Cushing spoke against.

Rep. Hoell spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

### YEAS 169 - NAYS 130

#### YEAS - 169

##### BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Gallagher, Brian
Howard, Raymond	Hurt, George	Fraser, Valerie	Vadney, Herbert

##### CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		

##### CHESHIRE

Hunt, John	McConnell, James	Phillips, Larry
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##### COOS

Richardson, Herbert	Rideout, Leon	Tholl, John
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##### GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hull, Robert	Ladd, Rick		

##### HILLSBOROUGH

Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Danielson, David	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Smith, Gregory

Gargas, Carolyn  
Goulette, William  
Hinch, Richard  
Kurk, Neal  
McLean, Mark  
Notter, Jeanine  
Peterson, Ken  
Shaw, Barbara  
Twombly, Timothy  
Zaricki, Nick

Goley, Jeffrey  
Haefner, Robert  
Hogan, Edith  
Lachance, Joseph  
Moore, Josh  
Ohm, Bill  
Proulx, Mark  
Simmons, Tammy  
Ulery, Jordan

Gonzalez, Carlos  
Halstead, Carolyn  
Hopper, Gary  
LeBrun, Donald  
Murotake, David  
McCarthy, Peggy  
Sanborn, Laurie  
Souza, Kathleen  
Sullivan, Victoria

Gould, Linda  
Hansen, Peter  
Belanger, James  
Marston, Dick  
Murphy, Keith  
Palmer, Barry  
Scotsas, Lisa  
Takesian, Charlene  
Wolf, Terry

### MERRIMACK

Turcotte, Alan  
Hill, Gregory  
Kuch, Bill

Brewster, Michael  
Hoell, J.R.  
Marple, Richard

French, Harold  
Horn, Werner  
Seaworth, Brian

Hess, David  
Kotowski, Frank  
Walsh, Thomas

### ROCKINGHAM

Christie, Andrew  
Baldasaro, Alfred  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Elliott, Robert  
Friel, William  
Harris, Jeffrey  
Itse, Daniel  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Welch, David

Abrami, Patrick  
Barnes, Arthur  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Gannon, William  
Hodgdon, Bruce  
Ward, Joanne  
Major, Norman  
McMahon, Charles  
Oigny, Jeffrey  
Gordon, Richard  
True, Chris  
Weyler, Kenneth

Abramson, Max  
Bates, David  
Cook, Allen  
Devine, James  
Rice, Frederick  
Green, Dennis  
Hoelzel, Kathleen  
Kappler, Lawrence  
Manning, John  
Miltz, David  
Packard, Sherman  
Schroader, Adam  
Vose, Michael  
Woitkun, Steven

Allen, Mary  
Bush, Carol  
Thomas, Douglas  
Duarte, Joe  
Fesh, Robert  
Guthrie, Joseph  
Introne, Robert  
Kolodziej, Walter  
Matthews, Carolyn  
Nigrello, Robert  
Potucek, John  
Spillane, James  
Webb, James

### STRAFFORD

Beaudoin, Steven  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

Graham, Robert  
Jones, Laura  
Mullen, John

### SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

### NAYS - 130

### BELKNAP

Fields, Dennis

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Abbott, Michael  
Bordenet, John  
Roberts, Kris  
Shepardson, Marjorie

Ames, Richard  
Chase, Cynthia  
Mann, John  
Tatro, Bruce

Tilton, Benjamin  
Eaton, Daniel  
Parkhurst, Henry  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy

### COOS

Fothergill, John  
Theberge, Robert

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Piper, Wendy

Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Cornell, Patricia  
Forest, Armand  
Guerette, C. Lee  
Herbert, Christopher  
O'Brien, Michael  
Long, Patrick  
Snow, Kendall  
Woodbury, David

Baroody, Benjamin  
Cote, David  
Freitas, Mary  
Hansberry, Daniel  
Jack, Martin  
Mangipudi, Latha  
Pierce, David  
Smith, Timothy

Roberts, Carol  
DiSilvestro, Linda  
Gidge, Kenneth  
Harvey, Suzanne  
Judy, Jean  
Manley, Jonathan  
Porter, Marjorie  
Vann, Ivy

Cohen, Alan  
Edwards, Elizabeth  
Gorman, Mary  
Heath, Mary  
Leishman, Peter  
McNamara, Richard  
Rosenwald, Cindy  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Rice, Chip  
Henle, Paul  
Kenison, Linda  
Ratzki, Mario  
Wallner, Mary Jane

French, Barbara  
Carson, Clyde  
Hirsch, Geoffrey  
Luneau, David  
Rogers, Katherine  
Wheeler, Deborah

Bartlett, Christy  
Doherty, David  
Frazer, June  
MacKay, James  
Saunderson, George

Bradley, Paula  
Gile, Mary  
Karrick, David  
Moffett, Howard  
Shurtleff, Stephen

**ROCKINGHAM**

Azarian, Gary  
Cali-Pitts, Jacqueline  
Ferrante, Beverly  
McBeath, Rebecca

Berrien, Skip  
Cushing, Robert  
Francese, Paula  
Gordon, Pamela

Borden, David  
DiFranco, Debbie  
Ward, Gerald  
Pantelakos, Laura

Cahill, Michael  
Edgar, Michael  
Heffron, Frank  
Sherman, Thomas

**STRAFFORD**

Baber, William  
Cilley, Jacalyn  
Ward, Kenneth  
Southworth, Thomas  
Wall, Janet

Berube, Roger  
DiSesa, Len  
Kaen, Naida  
Spang, Judith

Bixby, Peter  
Gardner, Janice  
Smith, Marjorie  
Treleaven, Susan

Burton, Wayne  
Horrigan, Timothy  
Schmidt, Peter  
Verschuieren, James

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Converse, Larry  
O'Heame, Andrew

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne

and the veto was sustained lacking the necessary two-thirds vote.

**GOVERNOR'S VETO MESSAGE ON HB 533**

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 9, 2016, I have vetoed House Bill 533, relative to installation requirements for arc-fault circuit interrupters. "Arc-fault protection is a significant advancement in electrical system technology that helps prevent fires from overheated and arcing wires, potentially saving lives and preventing property loss. House Bill 533 would allow an exemption to the use of arc-fault circuit interrupters after repeated tripping and after determination that the branch circuit is the not cause. However, this bill does not take into consideration what the actual cause of the nuisance tripping is, potentially reducing the level of fire protection in homes and threatening public safety. "Arc-fault protection can reduce the chance of an electrical fire occurring. Simply switching the arc-fault protection to another device without this protection against fires – without understanding the root cause of the electrical system issues – takes away from New Hampshire families an important protection of the electrical code that works and helps save lives. "Additionally, New Hampshire has established a State Building Code Review Board to ensure the technical expertise of professionals is an important part of our process when considering changes to the building code. That process was not

followed in this case, and in fact, the Building Code Review Board opposes this legislation. “The State Fire Marshal, the New Hampshire State Building Code Review Board, the New Hampshire Building Officials Association, the International Brotherhood of Electrical Workers Local 490, the Electrical Safety Foundation International, the National Electrical Manufacturers Association, the National Fire Protection Association and dozens of advocates who have been victims of severe and debilitating burns have expressed opposition to this bill, rejecting the need to scale back successful technology that help save lives. “Because this measure could jeopardize the safety of our families, I have vetoed House Bill 533.”

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor’s veto, shall **HB 533**, relative to installation requirements for arc-fault circuit interrupters, become law?

Rep. Goley spoke against.

Reps. Gordon and Proulx spoke in favor and yielded to questions.

Rep. Groen spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

**YEAS 179 - NAYS 112**

**YEAS - 179**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Gallagher, Brian	Howard, Raymond	Hurt, George	Fraser, Valerie
Vadney, Herbert			

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		

**CHESHIRE**

Bordenet, John	Johnsen, Gladys	Hunt, John	Roberts, Kris
Mann, John	Phillips, Larry		

**COOS**

Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hull, Robert	Ladd, Rick		

**HILLSBOROUGH**

Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Cohen, Alan	DiSilvestro, Linda	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth	Forest, Armand
Fromuth, Bart	Smith, Gregory	Gargas, Carolyn	Gould, Linda
Goulette, William	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Herbert, Christopher	Hinch, Richard	Hogan, Edith
Belanger, James	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	McCarthy, Peggy
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Sanborn, Laurie	Scotsas, Lisa	Shaw, Barbara
Simmons, Tammy	Snow, Kendall	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	Wolf, Terry	Zaricki, Nick

**MERRIMACK**

Turcotte, Alan  
Hill, Gregory  
Kuch, Bill

Brewster, Michael  
Hoell, J.R.  
Marple, Richard

French, Harold  
Horn, Werner  
Seaworth, Brian

Hess, David  
Kotowski, Frank  
Walsh, Thomas

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Bush, Carol  
Cook, Allen  
Devine, James  
Rice, Frederick  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
McKinney, Betsy  
Oligny, Jeffrey  
Gordon, Richard  
True, Chris  
Weyler, Kenneth

Abrami, Patrick  
Barnes, Arthur  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
Duarte, Joe  
Ferrante, Beverly  
Guthrie, Joseph  
Itse, Daniel  
Griffin, Mary  
McMahon, Charles  
Packard, Sherman  
Schroader, Adam  
Vose, Michael  
Woitkun, Steven

Abramson, Max  
Bates, David  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Elliott, Robert  
Friel, William  
Harris, Jeffrey  
Ward, Joanne  
Manning, John  
Nigrello, Robert  
Potucek, John  
Spillane, James  
Webb, James

Allen, Mary  
Berrien, Skip  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Welch, David

**STRAFFORD**

Beaudoin, Steven  
DeLemus, Susan  
Groen, Warren  
Knowles, Robert  
Whitehouse, Joshua

Bixby, Peter  
Gardner, Janice  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

Cheney, Catherine  
Graham, Robert  
Jones, Laura  
Mullen, John

Cilley, Jacalyn  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 112****CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Shepardson, Marjorie

Ames, Richard  
McConnell, James  
Tatro, Bruce

Tilton, Benjamin  
Parkhurst, Henry  
Weber, Lucy

Berch, Paul  
Robertson, Timothy

**COOS**

Froburg, Alethea  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Piper, Wendy

Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Cote, David  
Gidge, Kenneth  
Hansberry, Daniel  
Judy, Jean  
Manley, Jonathan  
Rosenwald, Cindy  
Woodbury, David

Baroody, Benjamin  
Danielson, David  
Goley, Jeffrey  
Harvey, Suzanne  
Leishman, Peter  
McNamara, Richard  
Smith, Timothy

Roberts, Carol  
Estevez, Eric  
Gonzalez, Carlos  
Heath, Mary  
O'Brien, Michael  
Long, Patrick  
Vann, Ivy

Cornell, Patricia  
Freitas, Mary  
Gorman, Mary  
Jack, Martin  
Mangipudi, Latha  
Porter, Marjorie  
Williams, Kermit



**MERRIMACK**

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Rice, Chip
Carson, Clyde	Doherty, David	Henle, Paul	Hirsch, Geoffrey
Frazer, June	Karrick, David	Kenison, Linda	Luneau, David
Mackay, James	Moffett, Howard	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Shurtleff, Stephen	Wallner, Mary Jane	

**ROCKINGHAM**

Azarian, Gary	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Edgar, Michael	Fesh, Robert	Francesse, Paula
Ward, Gerald	Heffron, Frank	Major, Norman	McBeath, Rebecca
Milz, David	Gordon, Pamela	Pantelakos, Laura	Sherman, Thomas

**STRAFFORD**

Baber, William	Burton, Wayne	DiSesa, Len	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Schmidt, Peter
Spang, Judith	Treleaven, Susan	Verschueren, James	Wall, Janet

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	

and the veto was sustained lacking the necessary two-thirds vote.

**SENATE MESSAGES****CONCURRENCE**

**HB 1000-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

**HOUSE DECLARATION**

Let it be known that the New Hampshire House of Representatives, on this very special occasion, publicly does grant its hearty and sincere congratulations to Garry Rayno in recognition of his many years of journalistic excellence in covering the NH State House.

**Whereas**, Garry Rayno has provided the people of New Hampshire with a fair and accurate accounting of the business of the New Hampshire legislature; and

**Whereas**, he has covered Granite State politics as a reporter for the Argus Champion, Foster's Democrat and, most recently as the Senior State House correspondent for the Manchester Union Leader; and

**Whereas**, Garry Rayno is widely respected throughout New England for his coverage of both state and federal politics; and

**Whereas**, Garry Rayno has been a valuable State House presence having covered every New Hampshire governor since John King; and

**Whereas**, Garry Rayno's skills as a reporter and writer, as well as his ability to build trust with all legislators will be sorely missed in the State House pressroom; so be it

**Declared**, that the New Hampshire House of Representatives, by virtue of the Speaker's signature inscribed below, extends its highest accolades and plaudits to Garry Rayno for his outstanding coverage of the State House and New Hampshire politics, and offers its very best wishes for a happy, healthy, and well-deserved retirement.

Offered on behalf of the New Hampshire House of Representatives on this 16th Day of June, 2016.

Shawn N Jasper, Speaker of the House

**GOVERNOR'S VETO MESSAGE ON HB 582-FN**

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 27, 2016, I have vetoed House Bill 582, repealing the license requirement for carrying a concealed pistol or revolver. "As I said when I vetoed nearly identical legislation last year, New Hampshire's current concealed carry permitting law has worked well for nearly a century – safeguarding the Second Amendment rights of our citizens while helping to keep the Granite State one of the safest states in the nation. It is a permitting system that gives an important oversight role to

local law enforcement while ensuring that an appeal process is in place if a permit is denied, a law that Republican Governor Mel Thomson said was 'a sensible handgun law.' Not only has the current law worked well, I also continue to share the public safety concerns of law enforcement and citizens across New Hampshire about removing the protections that the licensing process offers. "I also continue to support the Second Amendment and the right of Americans to responsibly own guns for personal safety, hunting, and recreation, but as the late Justice Antonin Scalia reaffirmed in the 2008 Supreme Court case of *District of Columbia v. Heller*, states also have the ability to responsibly and appropriately regulate the concealed carry of firearms. "Nothing has changed since last year's attempt to repeal the license requirement for carrying a concealed firearm – our current law continues to work well, public safety officials have the same concerns and the elimination of this responsible, common-sense law would still compromise the safety of our citizens. Therefore, I have vetoed House Bill 582."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 582-FN**, repealing the license requirement for carrying a concealed pistol or revolver, become law?  
Rep. DiSesa spoke against.

**(Rep. Packard in the Chair)**

Rep. Hoell spoke in favor.

**(Speaker Jasper in the Chair)**

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

**YEAS 150 - NAYS 117**

**YEAS - 150**

**BELKNAP**

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Gallagher, Brian
Hurt, George	Fraser, Valerie	Vadney, Herbert	

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen			

**CHESHIRE**

Hunt, John	McConnell, James
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**COOS**

Richardson, Herbert	Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hull, Robert	Ladd, Rick		

**HILLSBOROUGH**

Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Danielson, David	Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth
Smith, Gregory	Goley, Jeffrey	Gonzalez, Carlos	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hinch, Richard
Hopper, Gary	Belanger, James	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Marston, Dick	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Pellegrino, Anthony	Peterson, Ken	Pierce, David

Sanborn, Laurie  
Souza, Kathleen  
Wolf, Terry

Scoutsas, Lisa  
Twombly, Timothy  
Zaricki, Nick

Shaw, Barbara  
Ulery, Jordan

Simmons, Tammy  
Sullivan, Victoria

**MERRIMACK**

Brewster, Michael  
Hoell, J.R.  
Marple, Richard

French, Harold  
Horn, Werner  
Walsh, Thomas

Hess, David  
Kotowski, Frank

Hill, Gregory  
Kuch, Bill

**ROCKINGHAM**

Christie, Andrew  
Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Ferrante, Beverly  
Green, Dennis  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Schroadter, Adam  
Vose, Michael  
Woitkun, Steven

Abrami, Patrick  
Bates, David  
Cook, Allen  
Devine, James  
Fesh, Robert  
Guthrie, Joseph  
Itse, Daniel  
Major, Norman  
Milz, David  
Packard, Sherman  
Spillane, James  
Webb, James

Abramson, Max  
Bush, Carol  
Thomas, Douglas  
Duarte, Joe  
Friel, William  
Harris, Jeffrey  
Ward, Joanne  
Manning, John  
Nigrello, Robert  
Potucek, John  
Sytek, John  
Welch, David

Allen, Mary  
Cardon, G. Thomas  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Gannon, William  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
O'Connor, John  
Gordon, Richard  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Cheney, Catherine  
Groen, Warren  
Knowles, Robert  
Wuelper, Kurt

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard

Graham, Robert  
Jones, Laura  
Mullen, John

**SULLIVAN**

Converse, Larry

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 117**

**BELKNAP**

Fields, Dennis

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Parkhurst, Henry  
Weber, Lucy

Ames, Richard  
Eaton, Daniel  
Robertson, Timothy

Tilton, Benjamin  
Johnsen, Gladys  
Shepardson, Marjorie

Berch, Paul  
Mann, John  
Tatro, Bruce

**COOS**

Fothergill, John  
Thomas, Yvonne

Froburg, Alethea

Hatch, William

Moynihan, Wayne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Piper, Wendy

Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Cornell, Patricia

Baroody, Benjamin  
Cote, David

Roberts, Carol  
DiSilvestro, Linda

Cohen, Alan  
Forest, Armand

Freitas, Mary  
Harvey, Suzanne  
O'Brien, Michael  
Long, Patrick  
Smith, Timothy  
Woodbury, David

Gidge, Kenneth  
Heath, Mary  
Mangipudi, Latha  
Porter, Marjorie  
Takesian, Charlene

Gorman, Mary  
Jack, Martin  
Manley, Jonathan  
Rosenwald, Cindy  
Vann, Ivy

Guerette, C. Lee  
Jeudy, Jean  
McNamara, Richard  
Snow, Kendall  
Williams, Kermit

### MERRIMACK

Turcotte, Alan  
Rice, Chip  
Hirsch, Geoffrey  
Luneau, David  
Rogers, Katherine

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
MacKay, James  
Saunderson, George

French, Barbara  
Doherty, David  
Karrick, David  
Moffett, Howard  
Shurtleff, Stephen

Bartlett, Christy  
Henle, Paul  
Kenison, Linda  
Ratzki, Mario  
Wallner, Mary Jane

### ROCKINGHAM

Azarian, Gary  
Cahill, Michael  
Edgar, Michael  
Heffron, Frank  
Pantelakos, Laura

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Griffin, Mary  
Sherman, Thomas

Berrien, Skip  
Cushing, Robert  
Francesse, Paula  
McBeath, Rebecca

Borden, David  
DiFranco, Debbie  
Ward, Gerald  
Gordon, Pamela

### STRAFFORD

Baber, William  
Ward, Kenneth  
Spang, Judith

Burton, Wayne  
Kaen, Naida  
Treleaven, Susan

DiSesa, Len  
Smith, Marjorie  
Verschuere, James

Horrigan, Timothy  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew

Gagnon, Raymond  
Oxenham, Lee

Gottling, Suzanne

Irwin, Virginia

and the veto was sustained lacking the necessary two-thirds vote.

### GOVERNOR'S VETO MESSAGE ON HB 1208-FN

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 6, 2016, I have vetoed House Bill 1208, relative to administration of the tobacco tax. "This bill makes technical changes to the tobacco tax laws, as administered by the Department of Revenue, including changing and adding certain definitions and removing references to metering machines. It also clarifies activities that constitute unauthorized sales of tobacco products and makes records of tobacco stamps sold and tobacco products distributed required taxpayer records. "The primary purpose of this bill was to make technical changes at the request of the Department of Revenue Administration, changes that are important for the Department's administration of tax law. But the negatives of one provision outweigh the benefits of these technical changes. House Bill 1208 would also expand the definition of 'premium cigar' to include those that wholesale for less than two dollars, thereby exempting low-priced cigars from State tobacco taxes. As a matter of public health and fairness, I have proposed requiring parity for tobacco products during the last two budget cycles, but this bill would move in the opposite direction by expanding the exemption for premium cigars. Because cutting tobacco taxes is detrimental to public health, the American Cancer Society Cancer Action Network opposes measures such as this. "While this bill makes important clarifying changes to tobacco tax laws for the Department of Revenue Administration, those changes are outweighed by its negative health and fiscal impacts. In the interest of public health and fiscal responsibility for the State's budget, I have vetoed House Bill 1208."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1208-FN**, relative to administration of the tobacco tax, become law?

Rep. Ames spoke against.

Rep. Abrami spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

**YEAS 145 - NAYS 108****YEAS - 145****BELKNAP**

Aldrich, Glen	Tilton, Franklin	Fields, Dennis	Gallagher, Brian
Hurt, George	Vadney, Herbert		

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen			

**CHESHIRE**

Hunt, John	McConnell, James
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**COOS**

Richardson, Herbert	Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hull, Robert
Ladd, Rick			

**HILLSBOROUGH**

Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Danielson, David	Eastman, Eric	Edelblut, Frank
Ferreira, Elizabeth	Smith, Gregory	Gargas, Carolyn	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hinch, Richard
Hogan, Edith	Hopper, Gary	Belanger, James	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Leishman, Peter	Marston, Dick
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Sanborn, Laurie	Simmons, Tammy	Souza, Kathleen
Takesian, Charlene	Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria
Zaricki, Nick			

**MERRIMACK**

Brewster, Michael	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Karrick, David	Kotowski, Frank	Kuch, Bill
Marple, Richard	Walsh, Thomas		

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Abramson, Max	Allen, Mary
Azarian, Gary	Baldasaro, Alfred	Bates, David	Bush, Carol
Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen	Thomas, Douglas
Dean-Bailey, Yvonne	DeSimone, Debra	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Friel, William	Gannon, William
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Itse, Daniel	Ward, Joanne	Kappler, Lawrence	Kolodziej, Walter
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Packard, Sherman	Potucek, John	Gordon, Richard
Schroadter, Adam	Spillane, James	Sytek, John	True, Chris
Vose, Michael	Webb, James	Welch, David	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Mullen, John
Pitre, Joseph	Wuelper, Kurt		

**SULLIVAN**

Laware, Thomas	Rollins, Skip	Smith, Steven
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**NAYS - 108****CARROLL**

Buco, Thomas	Butler, Edward	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Eaton, Daniel	Johnsen, Gladys	Mann, John
Parkhurst, Henry	Shepardson, Marjorie	Tatro, Bruce	

**COOS**

Froburg, Alethea	Moynihan, Wayne	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Ford, Susan	Higgins, Patricia	Hennessey, Martha
Maes, Kevin	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles			

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Roberts, Carol	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Edwards, Elizabeth
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Harvey, Suzanne	Heath, Mary
Jack, Martin	Judy, Jean	O'Brien, Michael	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Long, Patrick	Porter, Marjorie
Rosenwald, Cindy	Shaw, Barbara	Snow, Kendall	Smith, Timothy
Vann, Ivy	Williams, Kermit	Woodbury, David	

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Rice, Chip	Carson, Clyde	Doherty, David	Henle, Paul
Hirsch, Geoffrey	Frazer, June	Kenison, Linda	Luneau, David
MacKay, James	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Shurtleff, Stephen	Wallner, Mary Jane		

**ROCKINGHAM**

Barnes, Arthur	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Ward, Gerald	Heffron, Frank	McBeath, Rebecca	Gordon, Pamela
Pantelakos, Laura	Sherman, Thomas		

**STRAFFORD**

Baber, William	Burton, Wayne	DiSesa, Len	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Schmidt, Peter
Spang, Judith	Treleaven, Susan	Verschueren, James	Wall, Janet

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	

and the veto was sustained lacking the necessary two-thirds vote.

**GOVERNOR'S VETO MESSAGE ON HB 1266**

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 31, 2016, I have vetoed House Bill 1266, relative to legalizing firecrackers. "Ensuring the health and safety of citizens is the first responsibility of state government. In New Hampshire we

have a long tradition of a balanced regulatory approach when it comes to our fireworks industry, an approach that focuses on minimizing risk to public safety and protecting all citizens’ quality of life. Our current approach prohibits the sale and use of firecrackers, and none of the proponents of this bill made a compelling argument for changing current law. House Bill 1266 repeals the prohibition on the sale and use of firecrackers in the State of New Hampshire, and in doing so, threatens our tradition of carefully balancing public safety with public access to this industry. “The New Hampshire Association of Fire Chiefs and the New Hampshire Fire Marshal’s Office oppose House Bill 1266, and I share their public safety concerns. According to estimates by the U.S. Consumer Product Safety Commission, firecrackers have previously accounted for up to 20 percent of all fireworks-related injuries nationwide. Additionally, because of their small size, firecrackers can also be used to create panic in a crowd, potentially resulting in disastrous consequences. “It is unnecessary to change current law – which already provides public access to fireworks while aiming to minimize public safety risks – by repealing a prohibition on some of the most dangerous types of fireworks. Because of the threat it poses to public safety, high risk of injury and the potential disruption to other citizens, I have vetoed House Bill 1266.”

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor’s veto, shall **HB 1266**, legalizing firecrackers, become law?

Rep. Hirsch spoke against.

Rep. Abramson spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

**YEAS 132 - NAYS 119**

**YEAS - 132**

**BELKNAP**

Aldrich, Glen	Tilton, Franklin	Fields, Dennis	Fraser, Valerie
Vadney, Herbert			

**CARROLL**

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Umberger, Karen

**CHESHIRE**

Eaton, Daniel	Hunt, John	McConnell, James
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**COOS**

Richardson, Herbert	Rideout, Leon	Tholl, John
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**GRAFTON**

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hull, Robert
Ladd, Rick			

**HILLSBOROUGH**

Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Ferreira, Elizabeth	Smith, Gregory	Gargas, Carolyn	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hinch, Richard
Hogan, Edith	Hopper, Gary	Belanger, James	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Pellegrino, Anthony	Peterson, Ken	Sanborn, Laurie
Simmons, Tammy	Souza, Kathleen	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	Zaricki, Nick		

**MERRIMACK**

Brewster, Michael  
Horn, Werner  
Walsh, Thomas

Hess, David  
Kotowski, Frank

Hill, Gregory  
Kuch, Bill

Hoell, J.R.  
Marple, Richard

**ROCKINGHAM**

Christie, Andrew  
Bates, David  
Thomas, Douglas  
Elliott, Robert  
Guthrie, Joseph  
Itse, Daniel  
Griffin, Mary  
Nigrello, Robert  
Potucek, John  
Sytek, John  
Weyler, Kenneth

Abrami, Patrick  
Bush, Carol  
Dean-Bailey, Yvonne  
Emerick, J. Tracy  
Harris, Jeffrey  
Ward, Joanne  
Manning, John  
O'Connor, John  
Gordon, Richard  
True, Chris

Abramson, Max  
Cardon, G. Thomas  
DeSimone, Debra  
Ferrante, Beverly  
Hodgdon, Bruce  
Kappler, Lawrence  
Matthews, Carolyn  
Oligny, Jeffrey  
Schroadter, Adam  
Vose, Michael

Allen, Mary  
Cook, Allen  
Devine, James  
Gannon, William  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Packard, Sherman  
Spillane, James  
Welch, David

**STRAFFORD**

Beaudoin, Steven  
Gray, James  
Kaczynski, Thomas  
Wuelper, Kurt

Cheney, Catherine  
Groen, Warren  
Turcotte, Leonard

DeLemus, Susan  
Hannon, Joseph  
Mullen, John

Graham, Robert  
Jones, Laura  
Pitre, Joseph

**SULLIVAN**

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 119****BELKNAP**

Gallagher, Brian

**CARROLL**

Buco, Thomas

Butler, Edward

Nelson, Bill

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Bordenet, John  
Phillips, Larry

Ames, Richard  
Johnsen, Gladys  
Robertson, Timothy

Tilton, Benjamin  
Mann, John  
Shepardson, Marjorie

Berch, Paul  
Parkhurst, Henry  
Tatro, Bruce

**COOS**

Froburg, Alethea

Moynihan, Wayne

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Piper, Wendy

Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Cornell, Patricia  
Forest, Armand  
Gonzalez, Carlos  
Jack, Martin  
Mangipudi, Latha  
Porter, Marjorie  
Smith, Timothy  
Woodbury, David

Baroody, Benjamin  
Cote, David  
Freitas, Mary  
Gorman, Mary  
Jeudy, Jean  
Manley, Jonathan  
Rosenwald, Cindy  
Takesian, Charlene

Roberts, Carol  
Danielson, David  
Gidge, Kenneth  
Guerette, C. Lee  
Leishman, Peter  
McNamara, Richard  
Shaw, Barbara  
Vann, Ivy

Cohen, Alan  
DiSilvestro, Linda  
Goley, Jeffrey  
Heath, Mary  
O'Brien, Michael  
Pierce, David  
Snow, Kendall  
Williams, Kermit



**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Rice, Chip	Carson, Clyde	Doherty, David	Henle, Paul
Hirsch, Geoffrey	Frazer, June	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Shurtleff, Stephen	Wallner, Mary Jane	

**ROCKINGHAM**

Azarian, Gary	Barnes, Arthur	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie
Edgar, Michael	Fesh, Robert	Ward, Gerald	Heffron, Frank
Major, Norman	McBeath, Rebecca	Milz, David	Gordon, Pamela
Pantelakos, Laura	Sherman, Thomas		

**STRAFFORD**

Baber, William	Burton, Wayne	DiSesa, Len	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Knowles, Robert	Smith, Marjorie
Schmidt, Peter	Spang, Judith	Treleaven, Susan	Verschueren, James
Wall, Janet			

**SULLIVAN**

Cloutier, John	Converse, Larry	Gagnon, Raymond	Inwin, Virginia
O'Hearne, Andrew	Oxenham, Lee		

and the veto was sustained lacking the necessary two-thirds vote.

**PRIVILEGE OF THE HOUSE**

Rep. Groen arose for a privilege of the House.

The Speaker asked the member to suspend until the vetoes concluded.

**GOVERNOR'S VETO MESSAGE ON HB 1637-FN**

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 9, 2016, I have vetoed House Bill 1637, relative to school attendance in towns with no public schools. "House Bill 1637 diverts taxpayer money to private and religious schools with no accountability or oversight, a clear violation of the New Hampshire Constitution, which states, '... no money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination.' Not only is the bill unconstitutional, it also has no mechanism to ensure a student's constitutional right to the opportunity to receive an adequate education and would undermine the state's efforts to ensure a strong and robust public education system for all New Hampshire students. "Under current New Hampshire law, public schools are required to provide the opportunity for an adequate education, as defined by the Legislature, and are held accountable through laws and rules that require monitoring and review by the Department of Education. Additionally, as required by statute and as a result of Supreme Court decisions requiring a statewide education accountability system, New Hampshire schools are required to participate in the Statewide Educational Improvement and Assessment Program. If House Bill 1637 is enacted, public funds would be used to send students to private schools – which are only approved by the Department of Education for attendance and not curriculum, without the same accountability standards as the public schools – violating the requirements of state law and the state Constitution. "In addition, House Bill 1637 interferes with tuition agreements between school districts throughout the state and potentially removes voters from the approval process for those agreements. It allows school districts that do not have public schools for every grade level to assign a student to or enter into a contract with a private school, but this is not necessary, because under current New Hampshire law, school districts that do not have their own public school are able to enter into tuition agreements with other school districts – many of which are multi-year contracts. It is common practice for these tuition agreements to go before the town voters to approve the terms of the contract – a provision not provided for in this proposed law. "The National Education Association, the New Hampshire School Administrators Association and the New Hampshire School Boards Association all opposed this legislation. The National Education Association wrote, 'The bill creates an unlimited and unregulated local voucher

program with enormous opportunities for discrimination and inequality,' and the school administrators wrote, 'This proposed law is substantially flawed and would expose the school districts and their citizens to likely costly litigation.' "House Bill 1637 clearly violates the explicit language of New Hampshire's Constitution. It also would undercut every New Hampshire public school student's constitutional right for the opportunity for an adequate education, with strong accountability from the school. Because it is unconstitutional, undermines our efforts to ensure a strong and robust public education system for all New Hampshire students and interferes with tuition agreements between school districts throughout the state, I have vetoed House Bill 1637."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1637-FN**, relative to school attendance in towns with no public schools, become law?

Rep. Heath spoke against.

Rep. Boehm spoke in favor and yielded to questions.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

### YEAS 147 - NAYS 105

#### YEAS - 147

##### BELKNAP

Aldrich, Glen	Tilton, Franklin	Fields, Dennis	Gallagher, Brian
Fraser, Valerie	Vadney, Herbert		

##### CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen			

##### CHESHIRE

Tilton, Benjamin	Hunt, John	McConnell, James
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##### COOS

Richardson, Herbert	Rideout, Leon	Tholl, John
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##### GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hull, Robert
Ladd, Rick			

#### HILLSBOROUGH

Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Danielson, David	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Ferreira, Elizabeth	Smith, Gregory	Gargas, Carolyn
Gonzalez, Carlos	Gould, Linda	Goulette, William	Haefner, Robert
Halstead, Carolyn	Hinch, Richard	Hogan, Edith	Hopper, Gary
Belanger, James	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Sanborn, Laurie	Shaw, Barbara
Simmons, Tammy	Souza, Kathleen	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	Zaricki, Nick	

#### MERRIMACK

Brewster, Michael	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Marple, Richard
Ratzki, Mario	Walsh, Thomas		

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Abramson, Max	Allen, Mary
Azarian, Gary	Barnes, Arthur	Bates, David	Bush, Carol
Cardon, G. Thomas	Cook, Allen	Thomas, Douglas	Dean-Bailey, Yvonne
DeSimone, Debra	Devine, James	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Guthrie, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel
Ward, Joanne	Kappler, Lawrence	Kolodziej, Walter	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Oigny, Jeffrey
Packard, Sherman	Potucek, John	Gordon, Richard	Schroadter, Adam
Spillane, James	Sytek, John	True, Chris	Vose, Michael
Welch, David	Weyler, Kenneth		

**STRAFFORD**

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Mullen, John
Pitre, Joseph	Wuelper, Kurt		

**SULLIVAN**

Gagnon, Raymond	Laware, Thomas	Rollins, Skip	Smith, Steven
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**NAYS - 105****CARROLL**

Buco, Thomas	Butler, Edward	Ticehurst, Susan
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Mann, John	Parkhurst, Henry
Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie	Tatro, Bruce

**COOS**

Froborg, Alethea	Moynihan, Wayne	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Almy, Susan	Ford, Susan	Higgins, Patricia
Hennessey, Martha	Maes, Kevin	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles		

**HILLSBOROUGH**

Backus, Robert	Baroody, Benjamin	Roberts, Carol	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Forest, Armand
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Harvey, Suzanne	Heath, Mary	Jack, Martin	Judy, Jean
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	Long, Patrick	Porter, Marjorie	Rosenwald, Cindy
Snow, Kendall	Smith, Timothy	Vann, Ivy	Williams, Kermit
Woodbury, David			

**MERRIMACK**

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Rice, Chip	Carson, Clyde	Doherty, David	Henle, Paul
Hirsch, Geoffrey	Frazer, June	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Rogers, Katherine	Saunderson, George
Shurtleff, Stephen	Wallner, Mary Jane		

**ROCKINGHAM**

Berrien, Skip  
Cushing, Robert  
Heffron, Frank  
Sherman, Thomas

Borden, David  
DiFranco, Debbie  
McBeath, Rebecca

Cahill, Michael  
Edgar, Michael  
Gordon, Pamela

Cali-Pitts, Jacqueline  
Ward, Gerald  
Pantelakos, Laura

**STRAFFORD**

Baber, William  
Ward, Kenneth  
Spang, Judith

Burton, Wayne  
Kaen, Naida  
Treleaven, Susan

DiSesa, Len  
Smith, Marjorie  
Verschueren, James

Horrigan, Timothy  
Schmidt, Peter  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Oxenham, Lee

Converse, Larry

Irwin, Virginia

O'Hearne, Andrew

and the veto was sustained lacking the necessary two-thirds vote.

**CLERK'S NOTE**

When less than two-thirds of the elected membership is present, Part II, Article 20 of the state constitution requires the assent of two-thirds of those present and voting to render their acts and proceedings valid.

**MOTION TO AMEND HOUSE JOURNAL**

Rep. Groen moved that the House Journal of February 4, 2016 be amended to reflect the exact words of the prayer given by Guest Chaplain, Dr. Peter Chamberland, Pastor of Granite State Baptist Church in Concord.

**(Rep. Packard in the Chair)**

Rep. Groen spoke in favor and yielded to questions.  
Speaker Jasper addressed the House and yielded to questions.  
Clerk Smith addressed the House.

**(Speaker Jasper in the Chair)**

Reps. Bates and Cali-Pitts spoke in favor.  
Rep. Kurk spoke against and yielded to questions.  
Rep. Eaton moved the Previous Question.  
Motion adopted and debate was limited.

The question being adoption of the motion to amend the House Journal.  
Rep. Bates requested a roll call; sufficiently seconded.

**YEAS 118 - NAYS 103****YEAS - 118****BELKNAP**

Tilton, Franklin

Gallagher, Brian

Fraser, Valerie

Vadney, Herbert

**CARROLL**

Avellani, Lino  
McConkey, Mark

Buco, Thomas  
Nelson, Bill

Comeau, Ed  
Ticehurst, Susan

Cordelli, Glenn

**CHESHIRE**

McConnell, James

Robertson, Timothy

Shepardson, Marjorie

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad

Darrow, Stephen

Hull, Robert

Ladd, Rick

**HILLSBOROUGH**

Ammon, Keith	Griffin, Barbara	Balcom, John	Burt, John
Byron, Frank	Christensen, Chris	Roberts, Carol	Cornell, Patricia
Danielson, David	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Ferreira, Elizabeth	Gonzalez, Carlos	Gorman, Mary	Gould, Linda
Goulette, William	Harvey, Suzanne	Hogan, Edith	Hopper, Gary
Jack, Martin	Judy, Jean	Manley, Jonathan	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Long, Patrick	Pellegrino, Anthony	Sanborn, Laurie
Shaw, Barbara	Simmons, Tammy	Souza, Kathleen	Smith, Timothy
Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria	Woodbury, David
Zaricki, Nick			

**MERRIMACK**

Brewster, Michael	Carson, Clyde	Henle, Paul	Hill, Gregory
Hoell, J.R.	Horn, Werner	Marple, Richard	Ratzki, Mario
Saunderson, George			

**ROCKINGHAM**

Christie, Andrew	Abrami, Patrick	Abramson, Max	Bates, David
Berrien, Skip	Bush, Carol	Cali-Pitts, Jacqueline	Cook, Allen
Thomas, Douglas	Dean-Bailey, Yvonne	Elliott, Robert	Ward, Gerald
Gannon, William	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Ward, Joanne	Kappler, Lawrence	Kolodziej, Walter
Manning, John	O'Connor, John	Oigny, Jeffrey	Packard, Sherman
Gordon, Richard	Schroadtter, Adam	Spillane, James	Sytek, John
True, Chris	Vose, Michael	Weyler, Kenneth	

**STRAFFORD**

DeLemus, Susan	Graham, Robert	Gray, James	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Thomas	Knowles, Robert
Turcotte, Leonard	Mullen, John	Pitre, Joseph	Wuelper, Kurt

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Irwin, Virginia	Laware, Thomas
Smith, Steven			

**NAYS - 103**

**BELKNAP**

Fields, Dennis

**CARROLL**

Schmidt, Stephen	Umberger, Karen
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**CHESHIRE**

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Eaton, Daniel	Hunt, John	Parkhurst, Henry
Phillips, Larry			

**COOS**

Froburg, Alethea	Moynihan, Wayne	Tholl, John	Thomas, Yvonne
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**GRAFTON**

Abel, Richard	Almy, Susan	Ford, Susan	Higgins, Patricia
Hennessey, Martha	Maes, Kevin	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles		

**HILLSBOROUGH**

Barry, Richard  
 Freitas, Mary  
 Goley, Jeffrey  
 Hinch, Richard  
 O'Brien, Michael  
 Pierce, David  
 Takesian, Charlene

Biggie, Barbara  
 Smith, Gregory  
 Guerette, C. Lee  
 Belanger, James  
 Mangipudi, Latha  
 Porter, Marjorie  
 Williams, Kermit

Cohen, Alan  
 Gargas, Carolyn  
 Haefner, Robert  
 Kurk, Neal  
 Marston, Dick  
 Rosenwald, Cindy

Cote, David  
 Gidge, Kenneth  
 Heath, Mary  
 Leishman, Peter  
 McNamara, Richard  
 Snow, Kendall

**MERRIMACK**

Alicea, Caroletta  
 Doherty, David  
 Karrick, David  
 Rogers, Katherine

French, Barbara  
 Hess, David  
 Kenison, Linda  
 Shurtleff, Stephen

Bartlett, Christy  
 Hirsch, Geoffrey  
 Kotowski, Frank  
 Walsh, Thomas

Rice, Chip  
 Frazer, June  
 MacKay, James  
 Wallner, Mary Jane

**ROCKINGHAM**

Barnes, Arthur  
 DeSimone, Debra  
 Heffron, Frank  
 Matthews, Carolyn  
 Pantelakos, Laura

Cahill, Michael  
 Devine, James  
 Hoelzel, Kathleen  
 McBeath, Rebecca  
 Potucek, John

Cardon, G. Thomas  
 DiFranco, Debbie  
 Griffin, Mary  
 Milz, David  
 Sherman, Thomas

Cushing, Robert  
 Edgar, Michael  
 Major, Norman  
 Gordon, Pamela  
 Welch, David

**STRAFFORD**

Abner, William  
 Ward, Kenneth  
 Spang, Judith

Burton, Wayne  
 Kaen, Naida  
 Treleven, Susan

DiSesa, Len  
 Smith, Marjorie  
 Verschueren, James

Horrigan, Timothy  
 Schmidt, Peter  
 Wall, Janet

**SULLIVAN**

Converse, Larry                      O'Hearne, Andrew                      Oxenham, Lee  
 and the motion failed lacking the necessary two-thirds vote.

**MOTION TO PRINT DEBATE**

Rep. Eastman moved that the debate on the motion to amend the House Journal be printed in the Permanent Journal.

Rep. Eastman spoke in favor.

Rep. Berch spoke against.

Rep. Len Turcotte requested a roll call; sufficiently seconded.

**YEAS 115 - NAYS 105****YEAS - 115****BELKNAP**

Tilton, Franklin

Gallagher, Brian

Fraser, Valerie

Vadney, Herbert

**CARROLL**

Avellani, Lino  
 McConkey, Mark

Buco, Thomas  
 Nelson, Bill

Comeau, Ed  
 Umberger, Karen

Cordelli, Glenn

**CHESHIRE**

Ames, Richard

McConnell, James

Phillips, Larry

Shepardson, Marjorie

**COOS**

Moynihan, Wayne

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad

Darrow, Stephen

Hull, Robert

Ladd, Rick

**HILLSBOROUGH**

Ammon, Keith  
Byron, Frank  
Cornell, Patricia  
Edwards, Elizabeth  
Gargas, Carolyn  
Goulette, William  
Jeudy, Jean  
Murotake, David  
Pellegrino, Anthony  
Souza, Kathleen  
Sullivan, Victoria

Griffin, Barbara  
Christensen, Chris  
Danielson, David  
Ferreira, Elizabeth  
Gonzalez, Carlos  
Heath, Mary  
Manley, Jonathan  
Murphy, Keith  
Sanborn, Laurie  
Smith, Timothy  
Zaricki, Nick

Balcom, John  
Roberts, Carol  
Eastman, Eric  
Freitas, Mary  
Gorman, Mary  
Hogan, Edith  
McLean, Mark  
Notter, Jeanine  
Shaw, Barbara  
Twombly, Timothy

Burt, John  
Cohen, Alan  
Edelblut, Frank  
Smith, Gregory  
Gould, Linda  
Hopper, Gary  
Moore, Josh  
Long, Patrick  
Simmons, Tammy  
Ulery, Jordan

**MERRIMACK**

Brewster, Michael  
Horn, Werner

Henle, Paul

Hill, Gregory

Hoell, J.R.

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Thomas, Douglas  
Gannon, William  
Kappler, Lawrence  
Gordon, Pamela  
Sherman, Thomas  
Vose, Michael

Abramson, Max  
Cali-Pitts, Jacqueline  
Dean-Bailey, Yvonne  
Harris, Jeffrey  
Kolodziej, Walter  
Packard, Sherman  
Spillane, James  
Weyler, Kenneth

Bates, David  
Cardon, G. Thomas  
Edgar, Michael  
Hodgdon, Bruce  
McBeath, Rebecca  
Gordon, Richard  
Sytek, John

Bush, Carol  
Cook, Allen  
Elliott, Robert  
Itse, Daniel  
Oigny, Jeffrey  
Schroadtter, Adam  
True, Chris

**STRAFFORD**

DeLemus, Susan  
Hannon, Joseph  
Turcotte, Leonard  
Wuelper, Kurt

Graham, Robert  
Jones, Laura  
Mullen, John

Gray, James  
Kaczynski, Thomas  
Pitre, Joseph

Groen, Warren  
Knowles, Robert  
Verschueren, James

**SULLIVAN**

Cloutier, John

Gagnon, Raymond

Smith, Steven

**NAYS - 105****BELKNAP**

Fields, Dennis

**CARROLL**

Schmidt, Stephen

Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel

Tilton, Benjamin  
Hunt, John

Berch, Paul  
Parkhurst, Henry

Bordenet, John  
Robertson, Timothy

**COOS**

Froburg, Alethea

Tholl, John

Thomas, Yvonne

**GRAFTON**

Abel, Richard  
Hennessey, Martha  
Sykes, George

Almy, Susan  
Maes, Kevin  
Townsend, Charles

Ford, Susan  
Piper, Wendy

Higgins, Patricia  
Smith, Suzanne

**HILLSBOROUGH**

Barry, Richard  
Goley, Jeffrey  
Hinch, Richard

Biggie, Barbara  
Guerette, C. Lee  
Belanger, James

Cote, David  
Haefner, Robert  
Jack, Martin

Gidge, Kenneth  
Harvey, Suzanne  
Kurk, Neal

Leishman, Peter  
McNamara, Richard  
Rosenwald, Cindy  
Woodbury, David

O'Brien, Michael  
Ohm, Bill  
Snow, Kendall

Mangipudi, Latha  
Pierce, David  
Takesian, Charlene

Marston, Dick  
Porter, Marjorie  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
MacKay, James  
Shurtleff, Stephen

French, Barbara  
Doherty, David  
Karrick, David  
Marple, Richard  
Walsh, Thomas

Bartlett, Christy  
Hess, David  
Kenison, Linda  
Rogers, Katherine  
Wallner, Mary Jane

Rice, Chip  
Hirsch, Geoffrey  
Kotowski, Frank  
Saunderson, George

### ROCKINGHAM

Christie, Andrew  
DeSimone, Debra  
Guthrie, Joseph  
Griffin, Mary  
Milz, David  
Welch, David

Barnes, Arthur  
Devine, James  
Heffron, Frank  
Major, Norman  
O'Connor, John

Berrien, Skip  
DiFranco, Debbie  
Hoelzel, Kathleen  
Manning, John  
Pantelakos, Laura

Cushing, Robert  
Ward, Gerald  
Ward, Joanne  
Matthews, Carolyn  
Potucek, John

### STRAFFORD

Baber, William  
Ward, Kenneth  
Spang, Judith

Burton, Wayne  
Kaen, Naida  
Treleaven, Susan

DiSesa, Len  
Smith, Marjorie  
Wall, Janet

Horrigan, Timothy  
Schmidt, Peter

### SULLIVAN

Converse, Larry  
Oxenham, Lee

Irwin, Virginia

Laware, Thomas

O'Hearne, Andrew

and the motion failed lacking the necessary two-thirds vote.

### ADJOURN FROM THE EARLY SESSION

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time.

Motion adopted.

### UNANIMOUS CONSENT

Rep. Hess requested Unanimous Consent of the House regarding reflections on not returning and addressed the House.

### MOTION TO PRINT REMARKS

Rep. Kurk moved that the remarks made by Rep. Hess be printed in the Permanent Journal. Without objection, the Speaker ordered.

### REMARKS

**Representative Hess:** Thank you, Mister Speaker.

**Speaker Jasper:** Member will suspend. The House will be in order. I don't know how else I can ask you to please exit the hall quietly and be respectful of the member who wishes to be heard? Please.

**Representative Hess:** Thank you, Mister Speaker. Mister Speaker, I share fully in the sentiment of those who wish to exit this chamber as quickly as possible and after a very long session which has accomplished very little. Let me say that first of all as many of you probably know, I have made a decision not to return. With you, a year ago December, I raised my right hand and swore my oath. Unlike all but a handful of you, it was the 13<sup>th</sup> time I had done that. I have sat in this chamber for 25 years. If that sounds like a long time, let me make it sound longer. I have been a member of this House for a quarter of a century. I've learned a lot of things in those 25 years, which started in 1987. For example, I know how many lightbulbs there are in this chamber. Does anyone else? If you count just the lightbulbs on the walls and on the ceiling, there are 110. But, that is only a fraction because you also have to count the three lightbulbs in the 400 seats reflecting our voting machines. So there are actually 1310 lightbulbs in this chamber. I've thought often about that and wondered if anyone else had. Apparently, you haven't. I also know that there is only one person



who has two of his portraits in this building. Does anyone else know who that is? Governor Nat Head, who happens to be the only Governor ever to have been born, raised and died in Hooksett. I have learned a few other things. First of all, being in the House is a rollercoaster ride. You win a few, you lose a few, etc. but there are some truths I think I would like to share with you and some reflections. First of all, this institution is not a chamber. It is not an inanimate object of mortar and granite and wood and plaster. It's a living, breathing body politic. For it to survive and prosper, it needs to be respected, it needs to be honored, its traditions need to be nurtured and indeed it needs to be loved. If not by us, by whom? And if not now, when? Second thought I want to leave you with is respect. The most important thing that you as a legislator can do in this chamber is to respect all of the other 399 legislators. That is a tradition of the chamber that strongly and most deeply needs to be preserved. Not just for altruistic voters or reasons because it's nice to respect other people, but for purely crass political motives because your biggest enemy in the last bill that you either beat or lost to is going to be your most important ally in the next bill and you don't want that person to be p.o.'d at you because of the way you treated them in the previous debate. Respect is the second thing I want you to keep in mind. The third thing is to preserve, protect and defend. Protect the traditions of the House. Preserve the integrity of the House and more importantly, perhaps, do the same thing for yourself. The most valuable asset you, as a member, have is your credibility, your reputation for honesty and integrity and straight playing. I had a mentor, the best trial lawyer in New Hampshire for over 30 years, Stanley Brown from Bradford, who taught me that no case, in this case no bill, no cause, no principle, no special interest, is worth sacrificing your integrity and your credibility and your reputation. Never do that because once you lose it, it's almost impossible to gain it back. Fourthly, keep your sense of humor. Keep your sense of humor and remember you're not as important as you think you are. In fact, none of us are as good a speaker or as good as legislator or as effective or as important as we think we are. No one is indispensable. We're all going to be replaced. Two thirds of us are going to be replaced by better people than we are so don't pat yourself on the back when you win, don't go home and have an extra drink when you lose. That's a lot of serious stuff, but I have to close with a little bit of humor, which we haven't had too much of today. My first foray into politics in New Hampshire was in the 1963 Presidential Primary when as a college senior I worked for Nelson Rockefeller. Now, that is 53 years ago, two-thirds of my life or more. As I said, I have spent a quarter of a century in this chamber. The entire time, both in the House and in active politics, was as a registered, formal Republican, but now I have decided that it is time to come out of the closet. So I would like to share with you this t-shirt that I got a couple of months ago. It reads, in case you can't read it far enough, "Bernie is my comrade." It celebrates a 100 years of sharing the wealth starting in 1917 and goes back even further to Marx and Engel. So let me just close these remarks by repeating what Edward R. Murrow made so famous in his broadcast in London, "Goodnight and goodbye."

### UNANIMOUS CONSENT

Rep. Oxenham requested Unanimous Consent of the House regarding the Orlando shootings and addressed the House.

### MOTION TO PRINT REMARKS

Rep. Hirsch moved that the remarks made by Rep. Oxenham be printed in the Permanent Journal. Motion adopted.

### REMARKS

**Representative Oxenham:** Thank you, Mister Speaker. Thank you all. We are the representatives of the people of New Hampshire and we were sent here to act on their behalf, not to provide yet another resolution or 10-seconds of silence in the face of yet another mass shooting and a catastrophic loss of life. The people of this state and across the nation are calling for action. We need common sense, practical reforms that address our national epidemic of gun violence. We need limits on military-grade weaponry in the hands of civilians, limits on the size of automatic ammunition magazines, expanded background checks and an end to the gun show and internet loopholes that threaten public safety. We have not acted in this session. We must do so in the next. Thank you.

**UNANIMOUS CONSENT**

Rep. Itse requested Unanimous Consent of the House regarding an apology.

**UNANIMOUS CONSENT**

Rep. Kaen requested Unanimous Consent of the House regarding the passing of a former member.

**RECESS MOTION**

Rep. Hinch moved that the House stand in recess for the purposes of receiving Senate messages, enrolled bill amendment, enrolled bill reports and veto messages from the Governor, at the completion of which the House will stand adjourned to the Call of the Chair.

Motion adopted.

The House recessed at 4:45 p.m.

**RECESS**

**(Rep. Packard in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 458 and 1428.

Rep. Hinch, Sen. Bradley for the Committee

**COMMUNICATION**

June 23, 2016

Dear Speaker Jasper and House Colleagues:

It is with mixed feelings that I submit my letter of resignation to you for my Rockingham County District 17 seat in the New Hampshire House of Representatives. It has been an honor to serve the great people of Newmarket, Newfields, and New Hampshire for the past biennium, and, on the whole, the past three terms. My wife and I are ever grateful to all who were there for us at the loss of our identical twin sons, Logan & Archer, and to those smiling at this year's session-day visit of their younger sisters, Arabella & Ainsley, as our family evolves. All of our children are extending hugs and high fives in appreciation.

I wish the members and staff a very safe and wonderful summer.

Thank you,

Adam Robert Schroadter

NH House of Representatives

Rockingham County District 17

**RECESS**

**(Rep. Hinch in the Chair)**

**ENROLLED BILL REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1000.

Rep. Hinch, Sen. Prescott for the Committee

**SENATE MESSAGE**

The Senate has voted to sustain the Governor's veto on the following Bills:

**SB 320**, relative to non-academic surveys administered by a public school to its students.

**SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

**SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver.

**SB 381**, relative to the combustion of the wood component of construction and demolition debris.

**SB 403**, relative to the sale of gift certificates with expiration dates.

**SB 446**, relative to requirements of the state building code.

**SB 495-FN-A**, relative to the definition of a cigar bar.

**COMMUNICATION**

June 25, 2016  
Via Email

Dear Paul,

As previously discussed, my wife and I are moving to Portsmouth and I will, regrettably have to resign my seat, representing Hillsborough 30 - Nashua Ward 3.

It has been a wonderful experience representing my neighbors, the community and the state and I am grateful for the opportunity to serve.

We are moving on June 30 and the resignation will take effect on that date.

Regards,

Alan Cohen

Representative, Hillsborough 30 - Nashua Ward 3

**COMMUNICATION**

August 4, 2016  
The Honorable Shawn Jasper  
Speaker of the House  
Room 311  
107 North Main Street  
Concord, NH 03301

Dear Speaker Jasper,

It has been an honor to serve in the New Hampshire House of Representatives for the communities of Dover Ward 5, Ward 6 and of Somersworth Ward 2. I have accepted full-time employment and must submit my resignation effective August 18<sup>th</sup>.

Serving the people of New Hampshire as a Representative in our esteemed State House has been one of the most rewarding experiences of my life.

Thank you.

Sincerely,

Catherine Cheney

State Representatives

**COMMUNICATION**

August 20, 2016  
Via Email

Dear All,

With regret, I must submit my resignation as state representative for Strafford District 16, Ward 4 Dover effective September 1<sup>st</sup>, 2016.

It has truly been an honor for me to serve in the New Hampshire House of Representatives, and I am proud to have worked with so many caring and giving representatives on both sides of the aisle. After spending almost 30 years in public service in the state, I will be leaving New Hampshire at the end of August to be closer to my sons and other family members in the New York Metropolitan area. I had originally wanted to wait until my term ended in December, but the timing of the move didn't work out that way.

Thank you, Paul for your expertise, for your deep knowledge base, and for your incredibly remarkable memory – you know all of our names in barely two weeks' time.

Thank you, Mr. Speaker, for your political courage and fortitude in the way you stood up to those members who tried to bully their way into disrupting the business of the House. They did not prevail. And thank you, Steve, for your friendship, guidance and leadership these past two years. One true regret I have is that I will not be part of the 165<sup>th</sup> General Court.

May the wind always be at your back, and may the road rise up to meet you.

Sincerely,

Len DiSesa

**RECESS**

## OUTSTANDING BILLS

**At the time of adjournment from the 2016 session, the following bills were not signed off in Committee of Conference.**

**HB 602-FN**, relative to the use of drones.

**HB 668-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax.

**HB 1182-FN**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

**HB 1404-FN**, relative to certain positions in the insurance department.

**HB 1660-FN-L**, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

**HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation.

**HB 1695-FN**, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports.

**SB 301**, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

**SB 402**, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

**SB 527-FN-A**, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

**At the time of adjournment from the 2016 session, the following bills remained laid on the table in the House:**

**HB 240**, prohibiting law enforcement agencies from using a drone to collect evidence.

**HB 475**, prohibiting the state from engaging in acts of civil forfeiture.

**HB 1112**, relative to subdivision of land.

**HB 1126**, limiting the authority of delegates to Article V conventions.

**HB 1134**, relative to open access to broadband infrastructure.

**HB 1143**, relative to showing a ballot.

**HB 1243-FN-L**, relative to storm water or sewage penalties.

**HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation.

**HB 1318**, relative to sex offender registration.

**HB 1359**, relative to the tax credit for service-connected disability.

**HB 1360-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire.

**HB 1402**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market.

**HB 1546-FN**, permitting the audio recording of a public servant performing a public function.

**HB 1557-FN**, relative to alcohol and drug treatment programs.

**HB 1610-FN**, legalizing the possession and cultivation of marijuana for personal use.

**HB 1614-FN**, relative to the criminal penalty for prostitution.

**HB 1621-FN-L**, relative to sanctuary cities.

**HB 1673-FN-L**, establishing a cash balance plan within the state retirement system.

**HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefore.

**HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics.

**HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans.

**SB 219-FN**, relative to breastfeeding.

**SB 492-FN**, relative to expenditures from the energy efficiency fund.

**SB 540-FN**, relative to the possession, use, or sale of kratom by any person under 18 years of age.  
**SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution.

**SCR 4**, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government.

**CACR 5**, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

**CACR 13**, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts.

**CACR 16**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children.

**CACR 17**, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting.

**CACR 21**, relating to the attorney general. Providing that the attorney general be chosen by ballot of the general court.

**CACR 23**, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes.

**CACR 27**, relating to the operating budget. Providing that the state shall not spend more on operating budget expenses than it receives in revenue plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures.

**At the time of adjournment from the 2016 session, the following House bills remained laid on the table in the Senate:**

**HB 629-FN**, relative to induced termination of pregnancy statistics.

**HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

**HB 1156**, relative to interference with traffic devices.

**HB 1231**, relative to school district policy regarding objectionable course material.

**HB 1247**, relative to poker in private residences.

**HB 1252**, permitting employers to pay wages to employees weekly or biweekly.

**HB 1356**, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.”

**HB 1570-FN**, repealing the law governing access to reproduction health care facilities.

## **CHAPTERED AND STATUTORY COMMITTEES**

### **STATUTORY STUDY COMMITTEES AMENDED**

**AQUATIC RESOURCES COMPENSATORY MITIGATION SITE SELECTION COMMITTEE** (RSA 482-A:32, II(e)). Membership amended by HB 1332, Chapter 68:1, Laws of 2016.

**GOVERNOR’S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY** (RSA 12-J:1). Membership, organization, duties, meetings, and reports amended by SB 533-FN-A-L, Chapter 330, Laws of 2016.

**HIGHER EDUCATION COMMISSION** (RSA 21-N:8-a, II(a)(9)). Membership amended by SB 314, Chapter 43:1, Laws of 2016.

**NEW HAMPSHIRE HEALTH CARE QUALITY ASSURANCE COMMISSION** (RSA 276:256). Commission extended and members added by HB 1269, Chapter 167:1 and 167:2, Laws of 2016.

**NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION** (RSA 17-R:1, II). Membership amended by HB 1486, Chapter 146:1, Laws of 2016.

**POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY COMMISSION** (RSA 115:D:2, I(u)). Membership amended by SB 397, Chapter 51:1.

**TRAFFIC SAFETY COMMISSION** (RSA 21-P:64). Repealed and reenacted by HB 1161, Chapter 164:1, Laws of 2016.

**2016 CHAPTERED STUDY COMMITTEES****HB 301 (Chapter 12:1, Laws of 2016): COMMITTEE TO STUDY THE LAYOUT AND DATA ELEMENTS CONTAINED IN THE STATEWIDE LONGITUDINAL DATA SYSTEM AND ANY OTHER DEPARTMENT OF EDUCATION MAINTAINED DATABASE THAT CONTAINS STUDENT LEVEL DATA:**

Reps. Glenn Cordelli, Elizabeth Ferreira, and Barbara Shaw, appointed by the Speaker of the House of Representatives.

Sen. Kevin Avard, appointed by the President of the Senate.

**HB 378 (Chapter 281:1, Laws of 2016): COMMITTEE TO STUDY RSA 461-A, RELATIVE TO PARENTAL RIGHTS AND RESPONSIBILITIES:**

Reps. Stephen Schmidt, Kimberly Rice, Patrick Long, and Carolyn Gargas, appointed by the Speaker of the House of Representatives.

Sen. Bette Lasky, appointed by the President of the Senate.

**HB 427 (Chapter 282:2, Laws of 2016): COMMITTEE TO STUDY THE 2015 EDITION OF THE UNIFORM FIRE CODE NFPA 1:**

Reps. Andrew Christie, Peter Hansen, Jeffrey Goley and Steven Beaudoin, members of the Committee on Executive Departments and Administration, appointed by the Speaker of the House of Representatives.

Sen. Sharon Carson, appointed by the President of the Senate.

**HB 1105 (Chapter 219:1, Laws of 2016): COMMITTEE TO STUDY THIRD PARTY MORTGAGE PROCESSORS:**

Reps. Barbara Biggie, John Hunt, Harold French, and Kermit Williams, appointed by the Speaker of the House of Representatives.

Sen. Russell Prescott, appointed by the President of the Senate.

**HB 1145 (Chapter 15:1, Laws of 2016): COMMITTEE TO STUDY THE INCIDENCE OF SUSPENSIONS AND EXPULSIONS OF CHILDREN IN LICENSED PRESCHOOLS AND IN KINDERGARTEN THROUGH GRADE 3:**

Reps. John Balcom and Mel Myler, members of the Committee on Education, and Reps. Rick Ladd, Terry Wolf and Mary Gile, appointed by the Speaker of the House of Representatives.

Sen. David Watters, appointed by the President of the Senate.

**HB 1148 (Chapter 163:1, Laws of 2016): COMMITTEE TO REVIEW POTENTIAL STATUTORY REVISIONS TO CONSTRAIN POSSIBLE STRANDED COSTS ASSOCIATED WITH PIPELINE CAPACITY CONTRACTS:**

Reps. Michael Vose, Douglas Thomas and Marjorie Shepardson, appointed by the Speaker of the House of Representatives.

Sens. Jeb Bradley and Kevin Avard, appointed by the President of the Senate.

**HB 1237 (Chapter 209:1, Laws of 2016): COMMITTEE TO STUDY THE ESTABLISHMENT OF A CONFLICT MANAGEMENT AND RESOLUTION SYSTEM FOR PARENTS AND CHILDREN:**

Reps. Debra DeSimone and William Friel, appointed by the Speaker of the House of Representatives.

**HB 1307 (Chapter 315:2, Laws of 2016): COMMITTEE TO STUDY THE PROCESS BY WHICH BUSINESS NAMES ARE AUTHORIZED BY THE SECRETARY OF STATE:**

Reps. John Hunt, John O'Connor, and Edward Butler, appointed by the Speaker of the House of Representatives.

Sens. Regina Birdsell and Donna Soucy, appointed by the President of the Senate.

**HB 1354 (Chapter 210:1, Laws of 2016): COMMITTEE TO STUDY LIVESTOCK AND MEAT INSPECTION:**

Reps. Robert Haefner, John O'Connor, and Tara Sad, appointed by the Speaker of the House of Representatives.

Sen. Jeff Woodburn, appointed by the President of the Senate.

**HB 1397 (Chapter 28:1, Laws of 2016): COMMITTEE TO STUDY IMPROVEMENTS TO THE HANNAH DUSTON MEMORIAL:**

Reps. Mark McConkey, Franklin Tilton, David Milz, and Virginia Irwin, appointed by the Speaker of the House of Representatives.

Sen. Sharon Carson, appointed by the President of the Senate.

**SB 341 (Chapter 210:1, Laws of 2016): COMMITTEE TO STUDY GUARDIANSHIP IN NEW HAMPSHIRE:**

Sen. Sharon Carson, appointed by the President of the Senate.

Reps. Debra DeSimone, Linda Kenison, Janet wall, and Joseph Guthrie, appointed by the Speaker of the House of Representatives.

**SB 364 (Chapter 242:1, Laws of 2016): COMMITTEE TO STUDY, IN CONJUNCTION WITH MUNICIPALITIES AND THE DEPARTMENT OF TRANSPORTATION, THE FEASIBILITY OF A COMPLETE STREETS PROGRAM:**

Sens. Regina Birdsell and Dan Feltes, appointed by the President of the Senate.

Reps. Mark McConkey, David Milz, and Patricia Higgins, appointed by the Speaker of the House of Representatives.

**SB 370 (Chapter 47:1, Laws of 2016): COMMITTEE TO STUDY REAL TIME THREAT NOTIFICATION SYSTEMS TO LINK SCHOOLS WITH LAW ENFORCEMENT WHEN SCHOOLS ARE UNDER DIRECT THREAT:**

Sen. Lou D'Allesandro, appointed by the President of the Senate.

Reps. Richard Barry, Franklin Sterling, and Robert Cushing, appointed by the Speaker of the House of Representatives.

**SB 427 (Chapter 101:1, Laws of 2016): COMMITTEE TO STUDY THE USE OF RESTRAINTS WHEN TRANSPORTING A PERSON SUBJECT TO INVOLUNTARY ADMISSION PROCEEDINGS:**

Sen. Andrew Hosmer, appointed by the President of the Senate.

Reps. Charles McMahon, Joanne Ward, and Thomas Sherman, appointed by the Speaker of the House of Representatives.

**SB 482 (Chapter 271:1, Laws of 2016): COMMITTEE TO STUDY THE EFFECT OF SHORT-TERM RENTALS ON MUNICIPALITIES:**

Sens. Regina Birdsell and Martha Fuller Clark, appointed by the President of the Senate.

Reps. James Belanger, Edward Butler, and Bill Ohm, appointed by the Speaker of the House of Representatives.

**SB 544 (Chapter 160:1, Laws of 2016): COMMITTEE TO STUDY FUNDING OPTIONS FOR THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE:**

Sens. Gary Daniels and Martha Fuller Clark, appointed by the President of the Senate.

Reps. Joseph Hagan, Janet Wall, and Robert Cushing, appointed by the Speaker of the House of Representatives.

**2016 STATUTORY STUDY COMMITTEES****RSA 4-F:1, (HB 377, Chapter 73:2, Laws of 2016): NEW HAMPSHIRE GEOGRAPHIC INFORMATION SYSTEM (GIS) COMMITTEE:**

Major General William Reddel, III, Adjutant General.

Robert Wolff, designee of the Commissioner of the New Hampshire Department of Agriculture, Markets and Food.

Linda Socha, designee of the Commissioner of the New Hampshire Department of Corrections.

Commissioner of the Department of Cultural resources, or designee.

Scott Mantie, designee of the Commissioner of the Department of Education.

Kenneth Gallagher, designee of the Director of the Office of Energy and Planning.

Clark Friese, designee of the Commissioner of the Department of Environmental Services.

Katie Callahan, designee of the Commissioner of Fish and Game and Marine Resources.

Donna O'Leary, designee of the Commissioner of Health and Human Services.

Denis Goulet, Commissioner of Department of Information Technology.  
 Commissioner of the Department of Resources and Economic Development, or designee.  
 Stephan Hamilton, designee of the Commissioner of the Department of Revenue Administration.  
 Richard Bailey, Commissioner of the Department of Safety.  
 Commissioner of the Department of Transportation, or designee.  
 Fay Rubin, Director of New Hampshire Geographically Referenced Analysis and Information Transfer system.  
 Angelo Marino, appointed by the New Hampshire Municipal Association.  
 Sara Siskavich, appointed by the New Hampshire Association of Regional Planning Commissions.  
 Bob Snelling, appointed by the New Hampshire Association of Regional Planning Commissions.  
 John Petro, Adjutant General (alternate).

**RSA 21-I:14-d (SB 332, Chapter 55:4, Laws of 2016): ADVISORY COMMITTEE ON STATE PROCUREMENT:**

Sens. Sharon Carson, appointed by the President of the Senate.  
 Reps. John Sytek, Peter Hansen, Raymond Gagnon, and David Danielson, appointed by the Speaker of the House of Representatives.

**RSA 21-P:64 (HB 1161, Chapter 164:1, Laws of 2016): TRAFFIC SAFETY COMMISSION:**

Pat Sullivan, New Hampshire Association of Chiefs of Police.  
 One representative of the New Hampshire Sheriffs Association.  
 One county attorney representing the New Hampshire Association of Counties.  
 Judy Silva, New Hampshire Municipal Association.  
 Peter McNamara, New Hampshire Automobile Dealers Association.  
 Vera Tucker, New Hampshire Motor Transport Association.  
 One representative of the New Hampshire School Transportation Association.  
 One representative of the American Automobile Association of Northern New England.  
 One representative of the New Hampshire Driver Education Teachers Association.  
 One representative of the New Hampshire Association of Fire Chiefs.  
 Terry Johnson, New Hampshire Hospital Association.  
 William Fisk, Granite State Wheelmen.  
 Gary Abbott, Associated General Contractors of New Hampshire.  
 Commissioner of the Department of Safety, or designee.  
 Matthew Shapiro, designee of the Director of the Division of State Police of New Hampshire Department of Safety, Chairman.  
 Director of the Division of Motor Vehicles of New Hampshire Department of Safety, or designee.  
 Attorney General or designee.  
 JoAnne E. Miles Holmes, designee of the Commissioner of the Department of Health and Human Services.  
 Commissioner of the Department of Transportation, or designee.  
 Michael Milligan, designee of the Chairman of the Liquor Commission.  
 Amy Clark, designee of the Commissioner of the Department of Education.  
 Member of the judiciary, appointed by the Chief Justice of the New Hampshire Supreme Court.  
 Patricia Rainboth, victim advocate appointed by the Governor.  
 Howard Hedegard, public member appointed by the Governor.  
 James Milliken, public member appointed by the Governor.  
 Tim Blagden, public member appointed by the Governor.

**RSA 72:29 (SB 442, Chapter 157:1, Laws of 2016): COMMISSION TO STUDY TAXABILITY OF LEASE INTERESTS IN PUBLIC PROPERTY:**

Sen. David Boutin, appointed by the President of the Senate.  
 Reps. Patrick Abrami and Susan Almy, appointed by the Speaker of the House of Representatives.  
 Stephan Hamilton, designee of the New Hampshire Department of Revenue Administration.  
 Kathryn Temchak, appointed by the New Hampshire Municipal Association.  
 David McMullen, CNHA, appointed by the New Hampshire Association of Assessing Officials.



**RSA 77-A:22 (SB 343, Chapter 153:1, Laws of 2016): COMMISSION TO STUDY THE AP-  
PORTIONMENT OF GROSS BUSINESS PROFITS UNDER THE BUSINESS PROFITS TAX:**

Sens. Regina Birdsell and Lou D'Allesandro, appointed by the President of the Senate.

Reps. Norman Major, Patrick Abrami and Patricia Lovejoy, appointed by the Speaker of the House of Representatives.

Christopher Sullivan, appointed by the President of the Senate.

Al Letizio, Jr., member of the business community, appointed by the Speaker of the House of Representatives.

Scott Harris, president of the New Hampshire Bar Association.

Karl Heafield, CPA MST, designee of the President of the New Hampshire Society of Certified Public Accountants.

Christopher Way, designee of the Commissioner of the Department of Resources and Economic Development.

Kerrin Rounds, designee of the Commissioner of the Department of Revenue Administration.  
Attorney General or designee.

**RSA 126-A:5-e (HB 1696, Chapter 13:12, Laws of 2016): COMMISSION TO EVALUATE  
THE EFFECTIVENESS AND FUTURE OF THE PREMIUM ASSISTANCE PROGRAM:**

Sens. Jeb Bradley and Sharon Carson, appointed by the President of the Senate.

Sen. Dan Feltes, Senate minority party designee, appointed by the President of the Senate.

Reps. Stephen Schmidt and Karen Umberger, appointed by the Speaker of the House of Representatives.

Rep. Cindy Rosenwald, House minority party designee, appointed by the Speaker of the House of Representatives.

The Commissioner of the Department of Health and Human Services, or designee.

The Commissioner of the Department of Insurance, or designee.

Lisa Guertin, New Hampshire Insurance Carrier appointed by the President of the Senate.

Michael Rose, New Hampshire Hospital representative, appointed by the Speaker of the House of Representatives.

A public member, who is a taxpayer, appointed by the President of the Senate.

Peter Burwen, public member who receives insurance coverage through the program, appointed by the Speaker of the House of Representatives.

P. Travis Harker, MD, licensed physician appointed by the Governor.

Jacqui Abikoff, a licensed mental health professional, appointed by the Governor.

A masters level licensed alcohol and drug counselor, appointed by the Governor.

**RSA 126-A:69 (SB 447, Chapter 1:1, Laws of 2016): COMMISSION TO STUDY NARCAN:**

Sens. Kevin Avard and Donna Soucy, appointed by the President of the Senate.

Reps. Stephen Schmidt and Kendall Snow, appointed by the Speaker of the House of Representatives.

Rick Cricenti, designee of the Commissioner of Health and Human Services.

Michael Dupuis, pharmacist, appointed by the New Hampshire Board of Pharmacy.

Peter Danles, licensed alcohol and drug counselor, appointed by the chairperson of the New Hampshire Office of Professional Licensure and Certification.

A licensed physician, appointed by the New Hampshire Board of Medicine.

Vicki Blanchard, emergency technician, appointed by the Director of New Hampshire Fire Standards, Training and Emergency Medical Services, Department of Safety.

John Drury, police officer appointed by the President of the Senate.

Kerry Nolte, appointed by the New Hampshire Nurse Practitioners Association.

A public member, appointed by the Governor.

Justin Van Etten, public member appointed by the President of the Senate.

Christopher Stawasz, public member appointed by the Speaker of the House of Representatives.

**RSA 126-A:72 (SB 530, Chapter 274:1, Laws of 2016): COMMISSION TO STUDY VOLUNTEER  
HEALTH CARE SERVICES:**

Sen. Jeanie Forrester, appointed by the President of the Senate.

Rep. Bill Nelson, appointed by the Speaker of the House of Representatives.

Tricia Lucas, Esquire, designee of the Commissioner of Department of Health and Human Services.

A representative of the New Hampshire Dental Society, appointed by the society.

John Butterly, MD, from the New Hampshire Medical Society.

A physician assistant, appointed by the New Hampshire Board of Medicine.

Jennifer Gaudet-Esenwine, advanced practice registered nurse, appointed by the New Hampshire Board of Nursing.

An optometrist, appointed by the Board of Registration in Optometry.

Daniel Dunn, appointed by the New Hampshire Hospital Association.

Nancy Smith, designee of the Attorney General.

A social worker, appointed by the Board of Mental Health Practice.

A pharmacist, appointed by the New Hampshire Board of Pharmacy.

**RSA 161-I:8 (SB 439, Chapter 252:1), COMMISSION TO STUDY THE SHORTAGE OF NURSES AND OTHER SKILLED HEALTH CARE WORKERS FOR HOME HEALTH CARE SERVICES AND POST-ACUTE CARE SERVICES:**

Sen. Jeff Woodburn, appointed by the President of the Senate.

Reps. Stephen Schmidt, John Fothergill and James MacKay, appointed by the Speaker of the House of Representatives.

Alisa Druzba, designee of the Commissioner of Department of Health and Human Services.

Tyler Brannen, designee of the Commissioner of New Hampshire Insurance Department.

Elizabeth Collins, Administrator of Special Medical Services of Department of Health and Human Services.

Dr. Paula Williams, designee of the Director of Division of Higher Education, Department of Education.

Briana L. White, appointed by the New Hampshire Nurses Association.

A pediatrician who provides treatment to medically fragile children, appointed by the New Hampshire Pediatric Association.

Janice McDermott, appointed by the Foundation for Healthy Communities.

Julie Reynolds, representative of a New Hampshire health agency, appointed by the Governor.

Audrey Gerkin and Heather Donnel, public members, appointed by the Governor.

Deborah Scheetz, appointed by the Commissioner of the Department of Health and Human Services.

Mike Ferrara and Amy Schwartz, appointed by the Chancellor of the University System of New Hampshire.

Mary Jean Byer, Chair of New Hampshire Technical Institute Nursing Department.

Sandra Poleatewich, Executive Director from the Home Care Association of New Hampshire.

An adult who utilizes home health services and/or private duty nursing, appointed by the Governor.

Brendan Williams, appointed by the New Hampshire Health Care Association.

Matthew Lagos, appointed by the New Hampshire Association of Counties.

Gina Balkus, appointed by the Granite State Home Health Association.

Christine Santaniello, appointed by the Community Support Network.

Nancy Wells, appointed by the State Advisory Committee on the Education of Children/Students with Disabilities, Department of Education.

**RSA 161:12, (SB 437, Chapter 269:1, Laws of 2016): COMMISSION TO ADDRESS CHILD HUNGER IN NEW HAMPSHIRE:**

Sens. Molly Kelly and Andrew Hosmer, appointed by the President of the Senate.

Reps. Donald LeBrun and Daniel Eaton, appointed by the Speaker of the House of Representatives.

Terry Smith, designee of the Commissioner of the Department of Health and Human Services.

Jane Waterhouse, Commissioner of the Department of Education.

Ben Frost, appointed by the New Hampshire Housing Finance Authority.

Amy Ireland Bourgault, appointed by New Hampshire Kids Count.

Joanne Burke, appointed by New Hampshire Hunger Solutions.

Joy Barrett, appointed by Granite State Children's Alliance.

MaryLou Beaver, appointed by Every Child Matters New Hampshire.

Susan Wnuk, appointed by the Governor.

William Sherry, appointed by United Ways of New Hampshire.

Jeanne Agri, appointed by New Hampshire Head Start Directors Association.

Diane Fitzpatrick, appointed by the Boys and Girls Club of New Hampshire.

Claire Bloom, appointed by End 68 Hours of Hunger.

One representative of Child and Family Services of New Hampshire, appointed by that organization.  
 One pediatrician licensed in New Hampshire, appointed by the New Hampshire Pediatric Society.  
 Dan LaFleur, appointed by the New Hampshire Association of School Principals.  
 Jeni Mosca, appointed by the New Hampshire School Administrators Association.  
 One member of the New Hampshire Bar Association, appointed by the association.  
 Helen Costello, appointed by Catholic Charities New Hampshire.  
 One representative of the Business and Industry Association, appointed by that association.

**RSA 175:11 (HB 197, Chapter 216:1, Laws of 2016): COMMISSION TO EVALUATE THE 3-TIER SYSTEM:**

Reps. John Hunt and Edward Butler, appointed by the Speaker of the House of Representatives.  
 Sen. Jeb Bradley, appointed by the President of the Senate.  
 Joseph Mollica, New Hampshire Liquor Commissioner.  
 Lewis Eaton, appointed by the President of the Senate.  
 Brian Ferguson, appointed by the Speaker of the House of Representatives.  
 Amy LaBelle, appointed by the Governor.  
 Dean Williams, appointed by the President of the Senate.  
 Bert Bingel, an alcoholic beverage distributor, appointed by the Speaker of the House of Representatives.  
 An alcoholic beverage retailer, appointed by the Speaker of the House of Representatives.  
 An alcoholic beverage retailer, appointed by the Governor.  
 James Wilson, New Hampshire Liquor Commission designee (alternate member).

**RSA 195:32 (HB 1303, Chapter 225:1, Laws of 2016): COMMISSION TO STUDY ISSUES RELATING TO PRE-EXISTING DISTRICTS WITHDRAWING FROM A COOPERATIVE SCHOOL DISTRICT:**

Reps. Terry Wolf and Mary Heath, members of the Committee on Education, appointed by the Speaker of the House of Representatives.  
 Rep. Ken Weyler, member of the Committee on Finance, appointed by the Speaker of the House of Representatives.  
 Sen. John Reagan, member of the Senate Education Committee, appointed by the President of the Senate.  
 Vincent Migliore, designee of the Commissioner of the New Hampshire Department of Education.  
 Commissioner of the Department of Revenue Administration, or designee.  
 Kathleen Cuddy-Egbert, superintendent from a cooperative school district, appointed by the Governor.  
 Mark Holloran, appointed by the Governor.  
 Two school board members from cooperative school districts, appointed by the Governor.  
 Christina Barrett, member of the New Hampshire School Boards Association.  
 Dr. Carl M. Ladd, Executive Director, New Hampshire School Administrators Association.  
 James O'Shaughnessy, appointed by the New Hampshire Council of School Attorneys.  
 Donna Green, public member, appointed by the House Education committee.  
 John Lyscars, public member, appointed by the Senate Education committee.

**RSA 215-A:10-a (HB 1396, Chapter 318:3, Laws of 2016): COMMISSION TO STUDY OHRV USAGE AND THE ALLOCATION OF LAW ENFORCEMENT AND EMERGENCY RESPONSE RESOURCES AND RESPONSIBILITIES:**

Reps. Steven Smith and George Sykes, appointed by the Speaker of the House of Representatives.  
 Sen. Gary Daniels, appointed by the President of the Senate.  
 Richard Bailey, designee of the Commissioner of the Department of Safety.  
 Caleb Dobbins, designee of the Commissioner of the Department of Transportation.  
 John Wimsatt, designee of the Commissioner of the Fish and Game and Marine Resources.  
 Christopher Gamache, Chief Supervisor of the Bureau of Trails of the New Hampshire Department of Resources and Economic Development.  
 Harry Brown, appointed by the New Hampshire Off-Highway Vehicle Association.  
 Doug Dutile, appointed by the New Hampshire Sheriff's Association.  
 Bill Herman, appointed by the New Hampshire Municipal Association.  
 Pete Morency, appointed by the New Hampshire Association of Chiefs of Police.  
 Matt Leahy, appointed by the Society for the Protection of New Hampshire Forests.  
 Jim O'Brien, appointed by the Nature Conservatory of New Hampshire.

**RSA 216-F:7 (SB 383, Chapter 268:1, Laws of 2016): COMMISSION TO STUDY AND RECOMMEND IMPROVEMENTS TO THE NEW HAMPSHIRE HIKING TRAILS NETWORK:**

Sen. Jeb Bradley, appointed by the President of the Senate.

Rep. Chris Christensen, appointed by the Speaker of the House of Representatives.

Philip A. Bryce, Director of the Division of Parks and Recreation of the New Hampshire Department of Resources and Economic Development.

Bill Warren, appointed by the Appalachian Mountain Club.

Jack Waldron, appointed by the Wonalancet Outdoor Club.

Rory Gawler, appointed by the Dartmouth Outdoor Program/Dartmouth Outing Club.

One representative from the Randolph Mountain Club, appointed by that organization.

Raynold Jackson, appointed by Trailswrights of New Hampshire.

Thomas Wagner, appointed by the administrator of the White Mountain National Forest.

Craig Sanborn, appointed by the Cardigan Highlanders Volunteer Trail Crew.

Tim Symonds, appointed by the Monadnock-Sunapee Greenway Trail Club.

**RSA 228:107 (SB 549, Chapter 276:3, Laws of 2016): PUBLIC-PRIVATE PARTNERSHIP TRANSPORTATION INFRASTRUCTURE OVERSIGHT COMMISSION:**

Two members to be appointed by the President of the Senate for terms of 2 years.

Two members to be appointed by the Speaker of the House of Representatives for terms of 2 years.

**RSA 275:76 (SB 488, Chapter 232:1, Laws of 2016): ADVISORY COUNCIL ON LACTATION:**

Sen. Martha Fuller Clark, appointed by the President of the Senate.

Rep. Cindy Rosenwald, appointed by the Speaker of the House of Representatives.

Michele Small, designee of the Commissioner of the Department of Labor.

Lissa Sirois, appointed by the Commissioner of the Department of Health and Human Services.

A certified midwife, appointed by the midwifery council established in RSA 326-D:3.

A member of the New Hampshire Business and Industry Association, appointed by the association.

The president of the New Hampshire Breastfeeding Rights Coalition, or designee.

Maureen Gilbert-Thibault, chairperson of the New Hampshire Breast Feeding Task Force.

Jan Greer-Carney, appointed by the Governor.

A transportation official, appointed by the Governor.

Kate Corriveau, public member, appointed by the Governor.

**RSA 281-A:32-a (SB 409 Chapter 305:3, Laws of 2016): COMMITTEE TO STUDY SOFT TISSUE INJURIES FOR PURPOSES OF WORKERS' COMPENSATION PERMANENT IMPAIRMENT AWARDS:**

Sen. Donna Soucy, appointed by the President of the Senate.

Reps. William Infantine, Fred Doucette, and Andrew White, appointed by the Speaker of the House of Representatives.

**RSA 318-B:26-b (HB 1681, Chapter 212:1, Laws of 2016): COMMISSION ON HYPODERMIC SYRINGES AND NEEDLES:**

Reps. Donald LeBrun and Joseph Hannon, appointed by the Speaker of the House of Representatives.

Sen. Gary Daniels, appointed by the President of the Senate.

Pamela Hoyt-Denison, P.E., Administrator, Waste Programs, appointed by the Commissioner of the Department of Environmental Services.

Lindsay Pierce, designee of the Commissioner of New Hampshire Department of Health and Human Services.

Attorney General, or designee.

Michael Dupuis, pharmacist appointed by the New Hampshire Board of Pharmacy.

Jeffrey Fetter, MD, appointed by the New Hampshire Medical Society.

Christine Villeneuve, appointed by New Hampshire Infection Control and Epidemiology Professionals.

Kevin Irwin, public member appointed by the Governor.

Molly Rossignol, public member, health care practitioner, appointed by the Governor.

Jason Lucey, APRN, appointed by the New Hampshire Nurse Practitioner Association.

Director of the Division of State Police, or designee.

Timothy Rourke, Chair of the Governor's Commission on Alcohol and Drug Abuse Prevention.

James Vara, Governor's Advisor on Addiction and Behavioral Health.

Andrew Shagoury, New Hampshire Association of Chiefs of Police.

Michele Merritt, Policy Director at New Futures.

Laura Fry, a member of the Public Health Network, appointed by the Department of Health and Human Services.

Kayla Fogg, representative of an HIV/AIDS service organization, appointed by the Governor.

Sandi Coyle, appointed by the Commissioner of the Department of Health and Human Services.

**RSA 318-B:41 (SB 523, Chapter 309:2, Laws of 2016): COMMISSION TO STUDY REQUIRING CONTROLLED DRUGS AND CONTROLLED DRUG ANALOGS TO BE PROVIDED IN ABUSE-DETER-RENT FORMULATION:**

Sen. Andy Sanborn, appointed by the President of the Senate.

Rep. Barbara Biggie, appointed by the Speaker of the House of Representatives.

Doris Lotz, MD, designee of the Commissioner of the Department of Health and Human Services.

George Lantz, DO, appointed by the New Hampshire Board of Medicine.

Two additional licensed physicians, appointed by the New Hampshire Board of Medicine.

Michael Dupuis, appointed by the New Hampshire Board of Pharmacy.

Susan DiStasio, appointed by the New Hampshire Board of Nursing.

Thomas Brownlie, appointed by the Governor.

A representative of an insurance company, appointed by the Governor.

Michele Merritt, Executive Director of New Futures.

**RSA 399-G:25 (HB 356, Chapter 205:1, Laws of 2016): COMMITTEE TO STUDY CRYPTOCURRENCY REGULATION:**

Rep. John Hunt, appointed by the Speaker of the House of Representatives.

Rep. Barbara Biggie, member of the committee on Commerce and Consumer Affairs, appointed by the Chairman of the committee on Commerce and Consumer Affairs.

Rep. Susan Almy, member of the committee on Ways and Means, appointed by the Chairman of the committee on Ways and Means.

Maryam Torben-Desfosses, designee of the Banking Commissioner.

Director of the Bureau of Securities regulation, or designee.

Jeremy Kauffman, representative of the cryptocurrency industry, appointed by the Governor.

**RSA 485-F:4 (SB 380, Chapter 11:2, Laws of 2016): NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION:**

Sens. Chuck Morse and Daniel Feltes, appointed by the President of the Senate.

Reps. Chris Christensen and Suzanne Smith, appointed by the Speaker of the House of Representatives.

Rachel Miller, designee of the Deputy State Treasurer.

Thomas Burack, designee of the Governor.

Marcella Bobinsky, Director of the Division of Public Health Services, Department of Health and Human Services.

Bernie Rousseau, public member appointed by the Speaker of the House of Representatives.

Andrea Kenter, public member appointed by the Governor.

Brian Goetz, municipal official, appointed by the Governor.

David Paris, public member appointed by the President of the Senate.

**RSA 485-G:1 (SB 375, Chapter 156:1, Laws of 2016): COASTAL MARINE NATURAL RESOURCES AND ENVIRONMENT COMMISSION:**

Sens. David Watters and Nancy Stiles, appointed by the President of the Senate.

Reps. John Mullen, Frederick Rice, and Robert Cushing, appointed by the Speaker of the House of Representatives.

Steven Couture, designee of the Commissioner of the Department of Environmental Services.

Sabrina Stanwood, Bureau Administrator of the Department of Resources and Economic Development.

Douglas Grout, designee of the Executive Director of Fish and Game and Marine Resources.

The chair of the advisory committee on marine fisheries, or designee.

One commercial fisherman, appointed by the Governor.

One recreational fisherman, appointed by the Governor.

Jeffrey Barnum, Great Bay-Piscataqua Waterkeeper.

Dr. Erik Chapman, appointed by the University of New Hampshire Cooperative Extension in Fisheries.  
One environmental scientist from the University of New Hampshire, appointed by the President of the University of New Hampshire.  
Elizabeth Baker, appointed by the Director of the Board of Trustees of the New Hampshire Nature Conservancy.

RESIGNATIONS, DEATHS, SPECIAL ELECTIONS

RESIGNED

01/03/2015	Rock/32	Dobson, Brian F., r
02/11/2015	Rock/13	Howe, Ann, r
04/15/2015	Rock/20	Sweeney, Dennis, r
12/14/2015	Rock/21	Wood, David, r
03/09/2016	Rock/02	Tasker, Kyle, r
05/19/2016	Hills/23	Sweeney, Shawn, r
05/19/2016	Merr/16	Deloge, Helen, d
06/01/2016	Ches/04	Pearson, William, d
06/01/2016	Hills/22	Rowe, Robert, r
06/01/2016	Hills/34	Soucy, Timothy, d
06/01/2016	Straf/23	Leeman, Don, r
06/23/2016	Rock/17	Schroadter, Adam, r

DECEASED

06/22/2015	Straf/01	Parsons, Robbie, r
02/20/2016	Belk/03	Luther, Robert, r
05/31/2016	Rock/17	Moody, Marcia, d
06/21/2016	Rock/14	Kellogg, Shem, r

DECLARED VACANCIES

02/20/2016	Belk/03
03/09/2016	Rock/02
05/19/2016	Hills/23
05/19/2016	Merr/16
05/31/2016	Rock/17
06/01/2016	Ches/04
06/01/2016	Hills/22
06/01/2016	Hills/34
06/01/2016	Straf/23
06/21/2016	Rock/14
06/23/2016	Rock/17

SPECIAL ELECTIONS

05/06/2015	Rock/13	Green, Dennis, r
06/03/2015	Rock/32	Dean-Bailey, Yvonne, r
08/05/2015	Rock/20	Tilton, Rio, r
11/18/2015	Straf/01	Graham, Robert V. Sr., r
03/23/2016	Rock/21	Edgar, Michael, d

PARTY BREAKDOWN ON THE 400 SEATS

Republicans:	230 R	0 R&D	=	230
Democrats:	159 D	2 D&R	=	159
Currently elected and qualified:			=	389
Vacancies: Resignations 6, Special Elections 4, Deceased 1			=	011
Total Seats:			=	400
Men: 282, Women: 107				

**TABLE OF REFERENCES**  
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<b>Chapter</b>	<b>Bill Number</b>	<b>Chapter</b>	<b>Bill Number</b>	<b>Chapter</b>	<b>Bill Number</b>
1	SB 447-FN	55	SB 332-FN	109	HB 1340
2	SB 576-FN-A	56	SB 460	110	HB 1352-FN
3	HB 331	57	SB 400	111	HB 1409
4	HB 555	58	HB 535-FN	112	HB 1410
5	HB 502	59	HB 1165	113	HB 1450
6	SB 146	60	HB 1181	114	HB 1587
7	SB 157-FN	61	HB 1197	115	HB 1459
8	SB 227-FN	62	HB 1220	116	HB 1467
9	SB 265-FN	63	HB 1245-FN	117	SB 152
10	SB 144	64	HB 1244-L	118	SB 323
11	SB 380	65	HB 1283	119	SB 344-FN
12	HB 301	66	HB 1290	120	SB 362
13	HB 1696-FN	67	HB 1300	121	SB 374
14	HB 527	68	HB 1332	122	SB 386
15	HB 1145	69	HB 1497	123	SB 388
16	HB 1438-FN-L	70	HB 1665-FN	124	SB 433
17	SB 110-FN	71	HB 1616-FN	125	SB 461-FN
18	SB 238-FN	72	HB 231	126	SB 465-FN
19	SB 318	73	HB 377	127	SB 524
20	HB 242	74	HB 601-FN	128	SB 545
21	HB 295	75	HB 1121	129	HB 466
22	HB 536	76	HB 1124	130	HB 659-FN-L
23	HB 1171	77	HB 1130	131	HB 1170
24	HB 1199	78	HB 1154-FN	132	HB 1212
25	HB 1315	79	HB 1164	133	HB 1264
26	HB 1355	80	HB 1175-FN	134	HB 1280
27	HB 1388-FN	81	HB 1202	135	HB 1286
28	HB 1397	82	HB 1223	136	HB 1287
29	HB 1418-L	83	HB 1226	137	HB 1294
30	HB 1419	84	HB 1239	138	HB 1302
31	HB 1116-FN	85	HB 1289	139	HB 1316
32	HB 1225	86	HB 1292	140	HB 1331
33	SB 378	87	HB 1372	141	HB 1349
34	HB 216-FN	88	HB 1378	142	HB 1357
35	HB 351	89	HB 1451-FN	143	HB 1394
36	HB 499	90	HB 1515	144	HB 1403
37	HB 1219-FN-L	91	HB 1579	145	HB 1452
38	HB 1285	92	HB 1599-FN	146	HB 1486
39	SB 25-FN	93	HB 1655-FN	147	HB 1553-FN
40	SB 237-FN	94	SB 309	148	HB 1588
41	SB 257-FN	95	SB 352	149	HB 1594-FN
42	SB 312	96	SB 353	150	HB 1601
43	SB 314	97	SB 356-FN	151	HB 1618
44	SB 316	98	SB 357	152	SB 341
45	SB 322	99	SB 359	153	SB 343
46	SB 328-L	100	SB 377	154	SB 358
47	SB 370	101	SB 427	155	SB 368-FN-A
48	SB 371	102	SB 456-FN	156	SB 375
49	SB 390-FN	103	SB 475-FN	157	SB 442-L
50	SB 392	104	SB 484	158	SB 453-FN
51	SB 397	105	SB 517-FN	159	SB 543-FN
52	SB 398	106	SB 519	160	SB 544
53	SB 313	107	HB 1195	161	HB 645-FN
54	SB 330-FN	108	HB 1329	162	HB 1147



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 168 HB 1305  
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 171 HB 1415  
 172 HB 1426-FN  
 173 HB 1453  
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 175 HB 1482  
 176 HB 1624-FN  
 177 HB 1664-FN  
 178 SB 59  
 179 SB 306  
 180 SB 308  
 181 SB 394  
 182 SB 416  
 183 SB 418  
 184 SB 420-FN  
 185 SB 423  
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 187 SB 477-FN  
 188 SB 478-FN  
 189 SB 494-FN-A  
 190 SB 509-FN  
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 194 SB 417  
 195 SB 452-FN  
 196 SB 467-FN  
 197 SB 468-FN  
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 203 SB 534-FN  
 204 SB 553  
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 206 HB 1138  
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 209 HB 1237  
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 211 HB 1680-FN  
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 215 HB 1628-FN  
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 217 HB 430  
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 220 HB 1204  
 221 HB 1210  
 222 HB 1246-FN  
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 225 HB 1303  
 226 HB 1395  
 227 HB 1589-FN  
 228 HB 1608-FN  
 229 HB 1651  
 230 SB 300  
 231 SB 444-FN  
 232 SB 488-FN-L  
 233 SB 521-FN  
 234 HB 500  
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 236 HB 1272-FN  
 237 HB 1527-FN-A  
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 239 SB 339-FN  
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 248 SB 424-FN  
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 253 SB 440-FN  
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 266 SB 210-FN  
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275 SB 532-FN  
 276 SB 549-FN  
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 278 HB 1298  
 279 HB 280  
 280 HB 285  
 281 HB 378  
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 296 SB 310  
 297 SB 315  
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 323 HB 1590-FN-A-L  
 324 HB 2016  
 325 SB 391  
 326 SB 401-FN  
 327 SB 411  
 328 HB 458  
 329 SB 522-FN-A  
 330 SB 533-FN-A-L

**2016**  
**HOUSE JOURNAL**  
**NUMERICAL INDEX**

This index, arranged by bill and resolution numbers, gives page numbers for all action in the House on each numbered bill and resolution. They are listed in the following order:

HA	House Address
HB	House Bill
HCO	House Concurrent Order
HCR	House Concurrent Resolution
HJR	House Joint Resolution
HR	House Resolution
SB	Senate Bill
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
CACR	Constitutional Amendment Concurrent Resolution

To find a bill by its subject see the Subject Index immediately following this NUMERICAL Index. All matters not relating to bills and resolutions will be found in the Subject Index.

The abbreviations listed below are used in the Numerical Index:

adop	adopted
am	amended, amendment
Com	re-referred to committee
conc	concurred, concurrence
conf	conference committee
Criminal Justice	referred to Criminal Justice and Public Safety committee
enr	enrolled
Exec Depts	referred to Executive Departments and Administration committee
Finance	referred to Finance committee
intro	introduced, introduction
IP	indefinitely postponed
K	killed (Inexpedient to Legislate)
LT	laid on the table
nonconc	nonconcurred
opin	opinion
psd	passed
RC	roll call
rcmt	recommitted
recon	reconsideration, reconsidered
rej	rejected
rem	removed from the consent calendar
rep	report
req	requests, requested
ret	retained
S	Senate
SO	special order
study	referred to interim study committee
vac	vacate
Ways and Means	referred to Ways and Means committee
wthd	withdrawn

**2016 SESSION**  
**HOUSE BILLS**  
**2015 BILLS RETAINED IN HOUSE COMMITTEES**  
**2015 BILLS REREFERRED TO SENATE COMMITTEES**

- HB 105**, relative to special number plates for members of the Civil Air Patrol.  
K 56
- HB 110**, relative to placement of political advertising.  
am 39-40, psd 116, S nonconc 823
- HB 114**, establishing beer specialty licenses and relative to rectifiers.  
am 35, psd 116, nonconc S am, conf 924, 1099, conferee change 1104, rep adop 1151, 1152, enr am 1179, enr 1192 (Chapter 310)
- HB 123**, relative to walking disability placards.  
K 56
- HB 128**, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies.  
K (RC) 61-64
- HB 131**, relative to renewal of health club memberships.  
K 64
- HB 141**, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.  
S study 249
- HB 143**, relative to electric renewable energy classes.  
K 56
- HB 183**, relative to voter registration forms.  
am 113-116, psd 117, S study 822
- HB 192**, relative to the valuation of utility property.  
S nonconc 208
- HB 195**, relative to continuing care communities.  
S study 208
- HB 197-FN**, relative to sales and samples provided by wine manufacturers.  
am 65, psd (RC) 65-67, 116, conc S am 1072-1073, enr 1173 (Chapter 216)
- HB 211**, establishing a commission to study domestic affairs.  
rem 34, K 199
- HB 216-FN**, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board.  
conc S am 826, enr 914 (Chapter 34)
- HB 218-FN**, relative to additional funding for third grade proficiency in mathematics.  
am & Finance 103-104, K 413
- HB 226**, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions.  
K 160
- HB 229**, relative to increasing the maximum amount of the optional veterans tax credit.  
K 55
- HB 231**, relative to applications for school building aid.  
am & Finance 104-105, psd 413, 595, conc S am 855, enr 972 (Chapter 72)
- HB 240**, prohibiting law enforcement agencies from using a drone to collect evidence.  
SO 87, LT 129, died on the table 1237
- HB 242**, relative to the statewide improvement and assessment program.  
am & Finance 105, psd 497, 597, S conc 822, enr am 852, enr 856 (Chapter 20)

- HB 243**, changing the definitions of “focus school” and “priority school” in the school performance and accountability law.  
K 39
- HB 249**, relative to the award of alimony and the enforcement of orders under RSA 458.  
study 35
- HB 253**, relative to the requirements for filing a charter school application.  
K 105
- HB 266**, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions.  
K 60
- HB 280**, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans.  
am & Finance 180-183, psd (RC) 750-753, 818, nonconc S am, conf 1077, 1099, rep adop 1151, 1152, enr 1182 (Chapter 279)
- HB 285**, relative to discussion with legal counsel under the right-to-know law.  
nonconc S am, conf 826, 1069, conferee change 1104, rep adop 1151, 1152, enr 1182 (Chapter 280)
- HB 288-L**, relative to the code for energy conservation in new building construction.  
K 55
- HB 294**, establishing a commission to develop a strategic plan for New Hampshire.  
K 43
- HB 295**, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities.  
am 55-56, psd 116, S conc 822, enr 852 (Chapter 21)
- HB 297**, protecting individual customer data from disclosure by a public utility.  
LT 165, rem, am & psd 634, 736, conc S am 1096, enr am 1173, enr 1177 (Chapter 258)
- HB 301**, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education.  
am & Executive Departments and Administration 105-106, ref waived 168, psd 206, S conc 739, enr 819 (Chapter 12)
- HB 312**, relative to registration of voters.  
K 40
- HB 324**, relative to membership in a union.  
K 53-54
- HB 327**, relative to investment crowdfunding.  
study 36
- HB 331**, relative to absences among selectmen on election day.  
S conc 167, enr 208 (Chapter 3)
- HB 334**, relative to the sale of personally identifiable information by Internet service providers.  
am 165-166, psd 166, 167, S study 915
- HB 346**, relative to criminal history records checks for school employees and volunteers.  
S nonconc 167
- HB 351**, exempting historically significant vehicles from emission control requirements.  
psd 57, 116, conc S am 826, enr 914 (Chapter 35)
- HB 353**, relative to the governance of condominium unit owners’ associations.  
nonconc S am, conf 826, 1069, rep adop 1151, 1152, enr am 1179, enr 1192 (Chapter 311)
- HB 356**, exempting persons using private virtual currencies for internet commerce from the licensing requirements for money transmitters.  
am 36, psd 116, conc S am 921, enr am 1102, enr 1103 (Chapter 205)
- HB 359**, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction.  
am & psd 186, 206, S nonconc 739

- HB 366**, relative to the alcohol percentage used to classify beverages.  
K 37
- HB 369-FN-A-L**, establishing a defined contribution retirement plan for public employees.  
study 166
- HB 372**, relative to certain private employers under workers' compensation.  
LT 119, rem 196, Labor, Industrial and Rehabilitative Services (RC) 197-199, study 746
- HB 376-FN-A**, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program.  
K (RC) 131-134
- HB 377**, establishing a commission to study the establishment of a state geographic information system office and the position of state geographic information officer.  
am 43-45, psd 116, conc S am 826, enr am 916, enr 917 (Chapter 73)
- HB 378**, relative to shared residential responsibility and establishing a commission to study child support and related child care issues.  
rem 34, am 199-200, psd 200, 206, conc S am 1072, enr 1182 (Chapter 281)
- HB 380**, relative to investigations of child day care agencies.  
S nonconc 208
- HB 383**, relative to the immunization/vaccination registry.  
S study 208
- HB 385-FN**, relative to special motorcycle number plates for disabled veterans.  
K 57
- HB 386-FN-A**, reducing the rate of the business profits tax.  
K 58
- HB 388-FN-A**, establishing university number plates.  
K 57
- HB 393-FN**, including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event.  
study 40
- HB 399-FN**, establishing a force of state capitol security officers with the authority to carry firearms.  
study 55
- HB 400-FN**, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives.  
rem 34, K (RC) 200-202
- HB 405-FN**, requiring the department of health and human services to license supervised visitation centers.  
rem 34, SO 74, K 116, conflict of interest declared 116
- HB 420-FN**, relative to limited driving privileges after revocation for certain financial obligations.  
K 57
- HB 427**, relative to the definition of the New Hampshire fire code.  
nonconc S am, conf 826, 852, rep adop 1151, (RC) 1152-1154, debate printed 1155, enr 1182 (Chapter 282)
- HB 430**, relative to extending the veterans' property tax credit to all honorably discharged veterans.  
psd 161, 167, conc S am 1094, enr 1173 (Chapter 217)
- HB 458**, revising the legislative ethics laws and the guidelines of the legislative ethics committee.  
nonconc S am, conf 827, 1069, rep adop 1151, 1155, enr am 1179, enr 1235 (Chapter 328)
- HB 463**, relative to state agency communications.  
S nonconc 167
- HB 465**, relative to workers' compensation for domestic employees.  
K 54

- HB 466**, relative to the definition of “implement of husbandry.”  
am 43, psd 116, S conc 918, enr 1103 (Chapter 129)
- HB 471**, relative to the powers of the state board of education and the duties of school boards.  
am 106-107, psd 117, S nonconc 739
- HB 475**, prohibiting the state from engaging in acts of civil forfeiture.  
SO 121, LT 144-145, died on the table 1237
- HB 477-FN-L**, relative to workers’ compensation benefits and establishing payment schedules.  
K 54
- HB 488**, relative to an abusive work environment and the health and safety of public employees.  
K 121
- HB 499**, permitting New Hampshire farmers to sell certain farm raised animals directly to the public.  
am 119-121, psd 121, 167, conc S am 826, enr 914 (Chapter 36)
- HB 500**, repealing the prohibition on the use of silencing devices for taking wildlife.  
psd (RC) 134-136, 167, conc S am 922, enr am 1102, enr 1171 (Chapter 234)
- HB 501**, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces.  
K 56
- HB 502**, relative to petitions for verification of checklists.  
S conc 168, enr 277 (Chapter 5)
- HB 504**, relative to online driver education.  
SO 74, psd (RC) 74-77, 116, S nonconc 1069
- HB 505**, relative to baiting for game birds and game animals by persons with a disability.  
K 137
- HB 512**, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.  
am 91-92, psd (RC) 92-94, 116, conc S am 1093, enr am 1173, enr 1177, veto sustained (RC) 1212-1215
- HB 513**, relative to complaint investigation procedures of the guardian ad litem board.  
am 60-61, psd 61, 116, S nonconc 917
- HB 515-FN**, relative to oversight of guardians ad litem by the guardian ad litem board.  
K 61
- HB 518**, relative to authority to establish fees for licenses issued by the fish and game department.  
K 137
- HB 521**, relative to the size of the pool of the workers’ compensation appeals board.  
S nonconc 168
- HB 527**, establishing guidelines for school districts relative to the use of school resource officers.  
am 107-108, psd 117, conc S am 741, enr 851 (Chapter 14)
- HB 529**, relative to party conventions.  
S nonconc 167
- HB 533**, relative to arc-fault circuit-breaker protection in residential construction.  
am 121-122, psd 122, 167, nonconc S am, conf 1073, 1099, conferee change 1104, rep adop 1151, 1155, enr am 1177, enr 1178, veto sustained (RC) 1215-1218
- HB 535-FN**, relative to signs advising motorists approaching highway emergencies.  
am 57-58, psd 116, S conc 852, enr 916 (Chapter 58)
- HB 536**, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.  
am, Finance 39, ref waived 94, psd 116, S conc 739, enr 852 (Chapter 22)
- HB 538-FN-L**, relative to the implementation of new statewide education annual assessments.  
study 108

- HB 546**, relative to exactions for improvements related to innovative land use controls.  
K 56
- HB 549-FN-A-L**, allowing school building aid grants for certain authorized projects.  
am & Finance 108-109, K 413
- HB 552-FN**, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees.  
K (RC) 187-189
- HB 555**, relative to participation of chartered public school students in school district co-curricular activities.  
S conc 167, enr 208 (Chapter 4)
- HB 556-FN-L**, establishing a cash balance plan for public employees in the retirement system.  
LT rej & study 166
- HB 560-FN**, including a fetus in the definition of “another” for the purpose of certain criminal offenses.  
nonconc S am 856
- HB 562-FN-L**, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities.  
K 45
- HB 567-FN**, establishing breast cancer and pediatric cancer special number plates.  
K 58
- HB 569-FN-A**, including certain nonprofit charitable enterprises under the business enterprise tax and reducing the rate of the tax.  
study 58
- HB 571-FN-A**, relative to taxation of trusts under the interest and dividends tax.  
K 58
- HB 581-FN**, requiring schools to continue the education of a child during the child’s suspension or expulsion.  
Study 39
- HB 582-FN**, repealing the license requirement for carrying a concealed pistol or revolver.  
am 94-96, psd (RC) 96-98, 116, S conc 918, enr 1103, veto sustained (RC) 1218-1221
- HB 583-FN**, requiring state law enforcement officers to wear a camera when interacting with the public and making an appropriation therefore.  
K 38
- HB 585-FN-A**, relative to fines for violation of alcoholic beverage laws.  
rem 34, am 203, psd & Finance (RC) 204-206, K 413
- HB 586-FN-L**, relative to registration of automobile utility trailers.  
am & Ways and Means 183-186, study 746
- HB 589-FN**, relative to prohibited coercion of political contributions.  
K 40
- HB 593-FN**, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.  
S study 208
- HB 594-FN-A**, establishing keno.  
am 195-196, psd 196, 206, S nonconc 917
- HB 596-FN-L**, relative to health insurance plans of public employers.  
K 37
- HB 601-FN**, relative to cash dispensing machine requirements.  
am 67-68, psd 68, 116, S conc 914, enr 972 (Chapter 74)
- HB 602-FN**, relative to the use of drones.  
SO 87, am & Criminal Justice and Public Safety (RC) 123-129, am, LT rej & psd (2RCs) 758-765, 819, nonconc S am, conf 1073, 1099, conferee change 1104, rep not filed 1237

- HB 605-FN**, repealing mandatory minimum sentences.  
am 98-100, psd 100, 116, nonconc S am, conf 924, 1099, rep adop 1151, (RC) 1155-1157, enr am 1180, enr 1192 (Chapter 312)
- HB 606-FN-L**, relative to costs for public records filed electronically.  
nonconc S am, conf 826, 1069, conferee change 1104, rep adop 1151, 1157, enr 1182 (Chapter 283)
- HB 611-FN**, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education.  
K 109
- HB 613**, relative to governmental records exempted under the right-to-know law.  
S study 208
- HB 617-FN-A**, requiring state police to wear a camera when interacting with the public.  
am & Finance 100-103, ref waived 103, psd 117, S nonconc 915
- HB 619-FN-L**, establishing noise barrier programs and making an appropriation therefor.  
K 56
- HB 625-FN-A**, relative to public charter schools.  
study 109
- HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors.  
SO 74, am 77-80, LT rej (RC) 81-83, Finance 83, am & psd 753-756, 819, conc S am 923, enr am 1102, enr 1173 (Chapter 218)
- HB 628-FN**, relative to indemnification of health care facilities under certain circumstances.  
nonconc S am, conf 741, 852, rep adop 1151, 1157-1158, enr 1182 (Chapter 284)
- HB 629-FN**, relative to induced termination of pregnancy statistics.  
am 51-53, psd 116, S LT 919, died on the table 1238
- HB 630-FN-A**, establishing the New Hampshire video lottery.  
SO 180, K (RC) 189-192
- HB 634-FN-A**, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief.  
SO 137, K (RC) 137-140
- HB 636-FN**, relative to forfeiture of property.  
am & Finance 141-144, am & psd 756-757, 819, nonconc S am (RC) 1091-1093
- HB 645-FN**, relative to the licensure and regulation of child day care agencies.  
conc S am 922, enr 1099 (Chapter 161)
- HB 659-FN-L**, allowing all voters to vote by absentee ballot.  
am 41-43, psd 116, S conc 917, enr am 1068, enr 1103 (Chapter 130)
- HB 661-FN**, relative to record keeping for sold or transferred animals.  
am 129-131, psd 131, 167, S nonconc 819
- HB 668-FN**, relative to expense deductions under the business profits tax.  
rem 35, SO 206, am & Finance (RC) 359-362, ref waived 367, psd 377, nonconc S am, conf 1078, 1099, rep not filed 1237
- HB 672-FN**, establishing a state bank.  
study 37
- HB 688-FN-L**, relative to establishing an agricultural education number plate.  
K 58
- HB 689**, relative to adoption of a default budget.  
S study 167



**2016 SESSION  
HOUSE BILLS**

- HB 1000-FN-A**, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor. (Hinch, Hills 21; et al: No committee assignment  
rules suspended & intro (RC) 1184-1187, limit debate (RC) 1187-1189, psd (6RCs) 1189-1212, recon rej 1199, rules suspended rej (RC) 1208-1210, S conc 1218, enr 1235 (Chapter 277)
- HB 1100**, relative to licensure of guides by the fish and game department. (Parent, Merr. 26; Fish and Game and Marine Resources)  
2, K 418
- HB 1101**, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines. (Eastman, Hills. 28; et al: Ways and Means)  
2, study 458
- HB 1102**, relative to travel on ways with 3 or more lanes. (Potucek, Rock. 6; et al: Transportation)  
2, K 455
- HB 1103**, requiring a report on the avails and income of a tract of land granted by the state to Dartmouth College. (Cushing, Rock. 21; Legislative Administration)  
2, K 437
- HB 1104**, relative to electric renewable energy classes. (Murotake, Hills. 32; et al: Science, Technology and Energy)  
2, K (RC) 634-637
- HB 1105**, establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)  
2, psd 385, 594, conc S am 921, enr am 1102, enr 1171 (Chapter 219)
- HB 1106**, relative to days on which fishing is permitted without a license. (Cushing, Rock. 21; et al: Fish and Game and Marine Resources)  
2, K 418
- HB 1107**, changing the name of Sargent's Purchase to Marilla Ricker. (Cushing, Rock. 21; et al: Municipal and County Government)  
2, K 228-229
- HB 1108**, relative to inquiries by employers into the criminal history of applicants for employment. (Heffron, Rock. 18; et al: Labor, Industrial and Rehabilitative Services)  
2, study 434
- HB 1109**, relative to notice of offer for property in eminent domain cases and making the condemning entity liable for reasonable attorney's fees in certain cases. (B. Tilton, Ches. 12; Judiciary)  
2, K 429
- HB 1110** – not introduced.
- HB 1111**, relative to securities advisory councils and committees. (Brewster, Merr. 21; Commerce and Consumer Affairs)  
2, K 385
- HB 1112**, relative to subdivision of land. (Coffey, Hills. 25; Municipal and County Government)  
2, LT (RC) 612-614, died on the table 1237
- HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections. (Verschueren, Straf. 13; et al: Criminal Justice and Public Safety)  
2, psd 390, 595, S nonconc 823
- HB 1114**, relative to the number of inspectors of election. (Gray, Straf. 8; Election Law)  
2, psd 404, 595, S study 915
- HB 1115**, relative to the laws governing the citizens of New Hampshire. (Edelblut, Hills. 38; Judiciary)  
2, K 429

- HB 1116-FN**, relative to net metering. (Edelblut, Hills. 38; et al: Science, Technology and Energy) 2, am & psd 637-638,736, S conc 851, enr am 853, enr 916 (Chapter 31)
- HB 1117**, establishing a child support maximum under the guidelines based on the parents' combined income. (Edelblut, Hills. 38; Children and Family Law) 2, psd 684, 736, S nonconc 919
- HB 1118**, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. (Edelblut, Hills. 38; Children and Family Law) 3, am 384, psd 594, S nonconc 919
- HB 1119-L**, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. (Higgins, Graf. 12; et al: Municipal and County Government) 3, K 212
- HB 1120**, relative to teacher qualifications at charter schools. (Rollo, Straf. 18; et al: Education) 3, SO 735, K (RC) 765-768
- HB 1121**, relative to the academic areas that comprise the statewide assessment. (Ladd, Graf. 4; et al: Education) 3, am 397-398, psd 595, conc S am 855, enr 972 (Chapter 75)
- HB 1122**, relative to limitations on supervisory positions in state employment. (D. McGuire, Merr. 21; et al: Executive Departments and Administration) 3, K (RC) 487-489
- HB 1123**, relative to a property tax exemption for certain stand-by generators. (C. McGuire, Merr. 29; et al: Municipal and County Government) 3, K 229
- HB 1124**, relative to the membership of the occupational therapy governing board. (C. McGuire, Merr. 29: Health, Human Services and Elderly Affairs) 3, am 420, psd 595, S conc 914, enr 972 (Chapter 76)
- HB 1125**, requiring law enforcement officers to return stolen property. (Hoell, Merr. 23; et al: Judiciary) 3, K (RC) 550-552
- HB 1126**, limiting the authority of delegates to Article V conventions. (Itse, Rock. 10; et al: Legislative Administration) 3, rem 383, SO 735, LT 816, died on the table 1237
- HB 1127**, relative to qualifications of referees in the superior courts and circuit courts. (Itse, Rock. 10; et al: Judiciary) 3, psd (RC) 232-234, 248, S nonconc 919
- HB 1128**, proclaiming the second week in September as Patriot Week. (Itse, Rock. 10; et al: Executive Departments and Administration) 3, K 409
- HB 1129**, relative to approval of fees established by the register of deeds. (E. Hennessey, Graf. 1; et al: Municipal and County Government) 3, K 614
- HB 1130**, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service. (Bates, Rock. 7; et al: State-Federal Relations and Veterans Affairs) 3, SO 321, LT rej (RC) 322-324, am & Education (2RCs) 324-329, am 741-742, psd 818, S conc 915, enr 972 (Chapter 77)
- HB 1131**, relative to vehicles formerly used as ambulances. (Proulx, Hills. 44: Transportation) 3, K 455
- HB 1132**, relative to carrying a loaded rifle or loaded shotgun in certain vehicles. (Proulx, Hills. 44, et al: Transportation) 3, am (RC) 657-660, psd 660, 736, S nonconc 1069

- HB 1133**, relative to the maximum amount of a customer deposit which may be required under rules of the public utilities commission. (Zaricki, Hills. 6; et al: Science, Technology and Energy) 3, K 638
- HB 1134**, relative to open access to broadband infrastructure. (Abramson, Rock. 20; et al: Science, Technology and Energy) 3, rem 384, SO 735, LT 817, died on the table 1237
- HB 1135**, relative to physical force in defense of a person. (Abramson, Rock. 20; et al: Criminal Justice and Public Safety) 3, rem 383, SO 735, K (RC) 785-788
- HB 1136**, authorizing the fish and game department to grant awards for solutions to reducing the Asian shore crab and European green crab populations. (Abramson, Rock. 20: Fish and Game and Marine Resources) 3, K 418
- HB 1137**, relative to the adoption of school administrative unit budgets. (Abramson, Rock. 20; et al: Education) 3, K 398
- HB 1138**, relative to access to investigational drugs, biological products, and devices. (Edelblut, Hills. 38; Health, Human Services and Elderly Affairs) 3, am 420, psd 595, conc S am 922, enr 1099 (Chapter 206)
- HB 1139**, establishing a committee to examine state protections from financial fraud. (Williams, Hills. 4; et al: Commerce and Consumer Affairs) 3, K 717
- HB 1140**, relative to financial responsibility for gas transmission pipelines. (Estevez, Hills. 37; et al: Science, Technology and Energy) 3, K (RC) 639-641
- HB 1141**, defining “agritourism.” (Haefner, Hills. 37; et al: Environment and Agriculture) 4, am 407, psd 595, S study 917
- HB 1142**, relative to employee compensation at certain hospitals. (Williams, Hills. 4: Executive Departments and Administration) 4, K 409
- HB 1143**, relative to showing a ballot. (Rideout, Coos 7; et al: Election Law) 4, rem 383, SO 735, ruling of the Chair upheld & LT (RC) 802-804, died on the table 1237
- HB 1144-L**, relative to notice for sessions of correction of the check list. (Souza, Hills. 43; et al: Election Law) 4, rem 383, SO 735, am & psd 804-806, 819, conc S am 1094, enr am 1174, enr 1178 (Chapter 259)
- HB 1145**, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3. (Gile, Merr. 27; et al: Education) 4, psd 398, 595, S conc 822, enr 851 (Chapter 15)
- HB 1146**, relative to certificates of site and facility. (McConnell, Ches. 12; et al: Science, Technology and Energy) 4, K 641
- HB 1147**, requiring a report on federal landholdings within the state and relative to the membership of the New Hampshire geographic information system committee. (McConnell, Ches. 12; et al: Resources, Recreation and Development) 4, am 449, psd 596, conc S am 923, enr 1099 (Chapter 162)
- HB 1148**, establishing a committee to review potential statutory revisions to constrain possible stranded costs associated with pipeline capacity contracts. (McConnell, Ches. 12; et al: Science, Technology and Energy) 4, psd (2RCs) 641-646, 736, conc S am 923, enr 1099 (Chapter 163)
- HB 1149**, requiring a royalty on the price of natural gas conveyed by pipeline intended for use in a foreign country. (McConnell, Ches. 12; et al: Science, Technology and Energy) 4, K 257

- HB 1150**, relative to the penalty for failure to deliver goods under the Uniform Commercial Code. (Marple, Merr. 24; et al: Commerce and Consumer Affairs)  
4, K 385
- HB 1151**, relative to after market tinting on side windows. (Hill, Merr. 3; et al: Transportation)  
4, K 455
- HB 1152**, relative to the definition of specialty beer. (Whitehouse, Straf. 2; et al: Commerce and Consumer Affairs)  
4, psd 385, 594, S nonconc 919
- HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders. (Welch, Rock. 13; et al: Criminal Justice and Public Safety)  
4, rem 383, LT rej (RC) 788-791, psd (RC) 791-793, 819, S LT 919, died on the table 1238
- HB 1154-FN**, authorizing and regulating the use of license plate scanning devices. (Peterson, Hills. 7: Transportation)  
4, am 660-661, psd (RC) 661-663, 736, S conc 915, enr 972 (Chapter 78)
- HB 1155**, relative to providing choice of meters to customers of utilities. (Halstead, Hills. 23: Science, Technology and Energy)  
4, K 453
- HB 1156**, relative to interference with traffic devices. (Higgins, Graf. 12; et al: Transportation)  
4, am 455, psd 596, S LT 853, died on the table 1238
- HB 1157**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; et al: Transportation)  
4, K 455
- HB 1158**, relative to an exemption from the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; et al: Transportation)  
4, K 455
- HB 1159-FN**, relative to sale of tobacco products. (Hunt, Ches. 11: Commerce and Consumer Affairs)  
4, study 251
- HB 1160-FN**, relative to licensing spas and salons to serve alcoholic beverages. (Hunt, Ches. 11: Commerce and Consumer Affairs)  
4, K 385
- HB 1161**, relative to the traffic safety commission. (Crawford, Carr. 4; et al: Transportation)  
4, am 456, psd 596, conc S am 923, enr 1099, committee repealed and reenacted 1238 (Chapter 164)
- HB 1162**, relative to eligibility for utility dealer registration. (Moffett, Merr. 9; et al: Transportation)  
4, K 456
- HB 1163**, relative to lobbying, campaign contributions, and political advertising. (T. Smith, Hills. 17; et al: Legislative Administration)  
4, K 437
- HB 1164**, relative to contributions by a city or town to the county or state. (T. Smith, Hills. 17; et al: Municipal and County Government)  
4, psd 439, 596, conc S am 856, enr 972 (Chapter 79)
- HB 1165**, changing “incapacitated” to “vulnerable” in the adult protective services laws. (Rogers, Merr. 28; et al: Children and Family Law)  
4, am 384-385, psd 594, S conc 851, enr am 853, enr 916 (Chapter 59)
- HB 1166-FN**, appointing personal representatives for persons who had founded petitions before the house committee on redress of grievances. (Brewster, Merr. 21: Judiciary)  
5, K 429
- HB 1167-FN**, repealing the administrative procedure act. (Brewster, Merr. 21: Executive Departments and Administration)  
5, K 409

- HB 1168**, relative to decrees pro confesso in title dispute actions. (Brewster, Merr. 21: Judiciary)  
5, K 228
- HB 1169**, prohibiting bank fees for on-line accounts. (Brewster, Merr. 21: Commerce and Consumer Affairs)  
5, K 385
- HB 1170**, relative to special permits for OHRV operation in Jericho Mountain State Park. (Theberge, Coos 3; et al: Resources, Recreation and Development)  
5, psd 449, 596, S conc 917, enr 1068 (Chapter 131)
- HB 1171**, relative to appeals heard by the waste management council. (C. Christensen, Hills. 21; et al: Environment and Agriculture)  
5, psd 407, 595, S conc 822, enr 852 (Chapter 23)
- HB 1172**, relative to corrective action implementation of audit findings concerning Cannon Mountain. (C. Christensen, Hills. 21; et al: Resources, Recreation and Development)  
5, psd 449-450, 596, conc S am 923, enr 1103 (Chapter 207)
- HB 1173** – not introduced.
- HB 1174**, relative to energy sources for new natural gas transmission compressor stations. (Williams, Hills. 4; Science, Technology and Energy)  
5, K (RC) 647-649
- HB 1175-FN**, relative to post-judgment real estate liens. (Lachance, Hills. 8; et al: Judiciary)  
5, am 553, psd 553, 597, S conc 915, enr 972 (Chapter 80)
- HB 1176**, relative to nomination and qualification of fish and game commissioners. (Parent, Merr. 26: Fish and Game and Marine Resources)  
5, study 419
- HB 1177**, relative to permission required for baiting for game on the property of another. (Parent, Merr. 26: Fish and Game and Marine Resources)  
5, K 419
- HB 1178**, relative to the taking of black bear assisted by a licensed guide. (Parent, Merr. 26: Fish and Game and Marine Resources)  
5, K (RC) 531-534
- HB 1179-L**, relative to the taxation of manufactured housing on the land of another. (Abbott, Ches. 1; et al: Municipal and County Government)  
5, K 439
- HB 1180-L**, relative to the authority of towns to issue bonds for the expansion of Internet service. (Leishman, Hills. 24; et al: Municipal and County Government)  
5, K (RC) 615-618
- HB 1181**, relative to designating an alternate cemetery trustee. (McConnell, Ches. 12; et al: Municipal and County Government)  
5, psd 439-440, 596, S conc 852, enr 916 (Chapter 60)
- HB 1182-FN**, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs)  
5, am & Ways and Means 251-252, psd 746, 818, nonconc S am, conf 1073, 1099, rep not filed 1237
- HB 1183**, relative to election result recounts. (McConnell, Ches. 12; et al: Election Law)  
5, K 404
- HB 1184-FN**, relative to license fees for domestic wine manufacturers. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs)  
5, K 362
- HB 1185** – not introduced.
- HB 1186**, relative to coasting of vehicles. (Schleien, Hills. 37; et al: Transportation)  
5, am 456, psd 596, conc S am 1097, enr 1173 (Chapter 235)

- HB 1187-FN-L**, repealing licensure of showmen. (Schleien, Hills. 37; et al: Executive Departments and Administration)  
5, K 490
- HB 1188**, relative to the brew pub license. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)  
5, SO & psd 685, 736, S nonconc 919
- HB 1189-FN**, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. (Cushing, Rock. 21; et al: Education)  
5, rem 250, K 376
- HB 1190**, relative to a grant of land to Dartmouth College. (Cushing, Rock. 21; et al: Municipal and County Government)  
5, K 440
- HB 1191**, establishing an exotic game license for hunting in a game preserve. (Cushing, Rock. 21; et al: Fish and Game and Marine Resources)  
6, K 419
- HB 1192-FN**, repealing the education tax credit. (Ford, Graf. 3; et al: Ways and Means)  
6, K (RC) 664-667
- HB 1193**, relative to the wellness and primary prevention council and relative to certification of school nurses. (B. French, Merr. 6; et al: Health, Human Services and Elderly Affairs)  
6, am 210, psd 219, nonconc S am, conf 924, 1099, rep adop 1151, (RC) 1158-1160, enr 1182 (Chapter 285)
- HB 1194**, relative to medical benefits under motor vehicle insurance. (Bucio, Carr. 2; et al: Commerce and Consumer Affairs)  
6, K 386
- HB 1195**, relative to prepayment contracts for petroleum products. (Hunt, Ches. 11: Commerce and Consumer Affairs)  
6, psd 386, 594, S conc 915, enr am 916, enr 972 (Chapter 107)
- HB 1196**, relative to the amount of a money judgment for unpaid rent. (Chirichiello, Rock. 6; et al: Judiciary)  
6, K 429
- HB 1197**, relative to conservation number plate funds. (Abrami, Rock. 19; et al: Ways and Means)  
6, psd 458, 596, S conc 851, enr am 853, enr 916 (Chapter 61)
- HB 1198-FN-L**, relative to the valuation of poles and conduits owned by telephone utilities. (Abrami, Rock. 19; et al: Ways and Means)  
6, am (3 RCs) 667-677, psd 677, 736, conc S am 924, enr 1099 (Chapter 208)
- HB 1199**, allowing adults to play children's bingo at private campgrounds or hotels. (Webb, Rock. 6; et al: Ways and Means)  
6, psd 458, 596, S conc 822, enr 852 (Chapter 24)
- HB 1200-L**, relative to the use of recycled glass. (Weber, Ches. 1; et al: Public Works and Highways)  
6, K 448
- HB 1201**, relative to withdrawal from a cooperative school district. (J. Belanger, Hills. 27; et al: Education)  
6, K 398
- HB 1202**, relative to applications submitted to a planning board. (J. Belanger, Hills. 27: Municipal and County Government)  
6, psd 440, 596, S conc 915, enr 972 (Chapter 81)
- HB 1203**, relative to voting on variances. (J. Belanger, Hills. 27; et al: Municipal and County Government)  
6, psd 440, 596, S nonconc 1070
- HB 1204**, relative to payment of rent pending the stay of an eviction proceeding. (Abrami, Rock. 19; et al: Judiciary)  
6, am 430, psd 596, conc S am 923, enr am 1102, enr 1171 (Chapter 220)

- HB 1205**, including libraries that provide children's programming in the definition of drug-free school zone. (Gray, Straf. 8: Education)  
6, K 398
- HB 1206**, relative to limited credits. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs)  
6, study 386
- HB 1207-FN**, exempting wine sample fees from the meals and rooms tax. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs)  
6, K 362
- HB 1208-FN**, relative to administration of the tobacco tax. (R. Ober, Hills. 37; et al: Ways and Means)  
6, psd 458, 596, S conc 851, enr am 853, enr 916, veto sustained (RC) 1221-1223
- HB 1209**, relative to consultations under the telemedicine law. (MacKay, Merr. 14; et al: Health, Human Services and Elderly Affairs)  
6, K 420
- HB 1210**, relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. (MacKay, Merr. 14; et al: Health, Human Services and Elderly Affairs)  
6, psd 420, 595, conc S am 922, enr am 1102, enr 1171 (Chapter 221)
- HB 1211**, relative to requirements for certain alcoholic beverage licenses. (Fromuth, Hills. 7; et al: Commerce and Consumer Affairs)  
6, am 386, psd 594, S nonconc 919
- HB 1212**, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton. (Bailey, Graf. 14; et al: Public Works and Highways)  
6, psd 241, 248, S conc 1069, enr 1103 (Chapter 132)
- HB 1213-FN**, repealing athletic trainer license requirements. (Fromuth, Hills. 7; et al: Executive Departments and Administration)  
6, K 409
- HB 1214**, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax. (Pantelakos, Rock. 25; et al: Municipal and County Government)  
7, K (RC) 237-240
- HB 1215-FN-A**, changing the allocation of penalty assessment funds, establishing a compensation fund for victims of crimes against the person, and continually appropriating a percentage of penalty assessments to such fund. (Brewster, Merr. 21: Finance)  
7, K 414
- HB 1216-FN**, requiring public bodies and agencies to provide information which is not regularly kept or reported upon payment by the requestor. (Verschueren, Straf. 13; et al: Judiciary)  
7, K 431
- HB 1217**, relative to the duties of and meeting requirements for the judicial council. (Brewster, Merr. 21: Judiciary)  
7, K 210
- HB 1218**, relative to levy of executions on shares in any corporation. (Brewster, Merr. 21: Judiciary)  
7, K 431
- HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor. (Coffey, Hills. 25; et al: Municipal and County Government)  
7, am & psd 618, 736, S conc 851, enr 914 (Chapter 37)
- HB 1220**, relative to disqualification of election officers. (Gray, Straf. 8: Election Law)  
7, psd 404, 595, S conc 852, enr 916 (Chapter 62)
- HB 1221**, relative to excluding certain one-time expenditures from the default budget in official ballot municipalities. (Fromuth, Hills. 7; et al: Municipal and County Government)  
7, K 240
- HB 1222**, relative to procedures for appraisals by assessing officials. (Fromuth, Hills. 7; et al: Municipal and County Government)  
7, K 440

- HB 1223**, relative to changes of address on election day. (Gray, Straf. 8: Election Law)  
7, psd 404, 595, S conc 915, enr 972 (Chapter 82)
- HB 1224**, establishing RV month in New Hampshire. (Weyler, Rock. 13; et al: Executive Departments and Administration)  
7, K 490
- HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation. (Edelblut, Hills. 38; et al: Education)  
7, am & psd 705-706, 736, S conc 851, enr 914 (Chapter 32)
- HB 1226**, relative to administration of pharmaceutical agents by optometrists. (Hoell, Merr. 23; et al: Executive Departments and Administration)  
7, am 409-410, psd 595, S conc 915, enr 972 (Chapter 83)
- HB 1227**, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes. (Schleien, Hills. 37; et al: Commerce and Consumer Affairs)  
7, SO 685, am & psd 686, 736, nonconc S am, conf 924, 1099, conferee change 1104, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 313)
- HB 1228-FN-A**, requiring the payment of an amount paid to redeem real property and making an appropriation therefor. (Brewster, Merr. 21: Finance)  
7, K 414
- HB 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. (Boehm, Hills. 20; et al: Education)  
7, SO 735, psd 768, 819, S nonconc 919
- HB 1230**, relative to information on dog licenses. (Sad, Ches. 1: Municipal and County Government)  
7, K 229
- HB 1231**, relative to school district policy regarding objectionable course material. (V. Sullivan, Hills. 16; et al: Education)  
7, SO 735, am & psd 768-769, 819, S LT 915, died on the table 1238
- HB 1232**, relative to visits to schools by non-academic government or private organizations. (V. Sullivan, Hills. 16; et al: Education)  
7, am & psd 706, 736, S nonconc 915
- HB 1233**, relative to the right of attendance by general court members at legislative proceedings. (Ulery, Hills. 37; et al: Legislative Administration)  
7, K 437
- HB 1234**, relative to the seal of the general court. (Ulery, Hills. 37; et al: Legislative Administration)  
7, K 437
- HB 1235**, relative to stalking. (Luther, Belk. 3; et al: Criminal Justice and Public Safety)  
7, K 391
- HB 1236**, relative to hearings on modifications of parental rights and responsibilities. (Luther, Belk. 3; et al: Children and Family Law)  
7, am & psd 684-685, 736, S nonconc 919
- HB 1237**, establishing a committee to study the establishment of a conflict management and resolution system for parents and children. (Luther, Belk. 3; et al: Children and Family Law)  
7, psd 385, 594, conc S am 1093, enr 1103 (Chapter 209)
- HB 1238**, relative to income for purposes of child support. (Luther, Belk. 3; et al: Children and Family Law)  
7, SO & K 685
- HB 1239**, relative to certain terminology in the education statutes. (Ladd, Graf. 4; et al: Education)  
8, am 398-401, psd 595, S conc 852, enr am 916, enr 972 (Chapter 84)
- HB 1240**, relative to alternatives to the statewide assessment. (Ladd, Graf. 4; et al: Education)  
8, K 401



- HB 1241**, establishing the alternative motto “scenic” for motor vehicle plates. (Suzanne Smith, Graf. 8; et al: Transportation)  
8, K 211
- HB 1242**, relative to rules of the department of transportation on driveway permits. (D. McGuire, Merr. 21; et al: Public Works and Highways)  
8, study 448
- HB 1243-FN-L**, relative to storm water or sewage penalties. (C. McGuire, Merr. 29; et al: Municipal and County Government)  
8, am & Judiciary 229-230, LT 758, died on the table 1237
- HB 1244-L**, relative to municipal cemeteries. (C. McGuire, Merr. 29; et al: Municipal and County Government)  
8, am 441, psd 596, S conc 853, enr 916 (Chapter 64)
- HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference. (C. McGuire, Merr. 29; et al: Executive Departments and Administration)  
8, am 410, psd 595, S conc 851, enr am 853-854, enr 916 (Chapter 63)
- HB 1246-FN**, relative to speech-language assistants. (C. McGuire, Merr. 29; et al: Executive Departments and Administration)  
8, am 410-411, psd 595, conc S am 1094, enr 1173 (Chapter 222)
- HB 1247**, relative to poker in private residences. (Itse, Rock. 10; et al: Ways and Means)  
8, am & psd 677-678, 736, S LT 853, died on the table 1238
- HB 1248**, relative to the waiver of counsel in juvenile delinquency proceedings. (Itse, Rock. 10; et al: Children and Family Law)  
8, SO & psd 685, 736, S nonconc 919
- HB 1249**, providing that persons who provide false or misleading information in an abuse or neglect proceeding shall be guilty of the crime of false swearing. (Itse, Rock. 10; et al: Judiciary)  
8, K (RC) 553-556
- HB 1250**, relative to medical neglect of children. (K. Rice, Hills. 37; et al: Children and Family Law)  
8, am 710-711, psd (RC) 712-714, 736, S nonconc 919
- HB 1251-FN-A**, requiring the department of transportation to upgrade a portion of road in the town of Pittsfield. (Brewster, Merr. 21; Public Works and Highways)  
8, K 230
- HB 1252**, permitting employers to pay wages to employees weekly or biweekly. (Sanborn, Hills. 41; et al: Labor, Industrial and Rehabilitative Services)  
8, am 598-599, psd 736, S LT 919, died on the table 1238
- HB 1253-L**, relative to the removal of land use board members and municipal officers. (Cordelli, Carr. 4; et al: Municipal and County Government)  
8, K 441
- HB 1254-FN-L**, providing an exemption from the business profits tax and the business enterprise tax for certain manufacturing businesses. (McConnell, Ches. 12; et al: Ways and Means)  
8, K 459
- HB 1255**, designating May 19 as a Day of Compassion. (DeSimone, Rock. 14; et al: Executive Departments and Administration)  
8, K 411
- HB 1256**, requiring the attorney general to prepare an inventory of all untested rape kits. (Cushing, Rock. 21; et al: Health, Human Services and Elderly Affairs)  
8, K 421
- HB 1257**, relative to revocation or suspension of a driver’s license because of physical impairment. (Leeman, Straf. 23; Transportation)  
8, K 663

- HB 1258-FN**, establishing exemptions from the business profits tax and business enterprise tax for new businesses in New Hampshire. (Baroody, Hills. 43; et al: Ways and Means)  
8, K 459
- HB 1259**, relative to liability for third party review of site plans. (Howard, Belk. 8; et al: Municipal and County Government)  
8, K 441
- HB 1260**, repealing the authority of assessing officials to obtain administrative inspection warrants to complete property appraisals. (Abramson, Rock. 20; et al: Municipal and County Government)  
8, K 441
- HB 1261**, relative to multiple indictments in criminal prosecutions. (Abramson, Rock. 20; et al: Judiciary)  
8, vac Criminal Justice and Public Safety 137, rem 383, SO 735, K 793
- HB 1262**, relative to the application of zoning ordinances to home-based businesses. (Abramson, Rock. 20; Municipal and County Government)  
9, K 442
- HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation. (Abramson, Rock. 20; Municipal and County Government)  
9, rem 383, SO 735, LT 817, died on the table 1237
- HB 1264**, relative to carnival or amusement ride inspections. (Saunderson, Merr. 9; et al: Commerce and Consumer Affairs)  
9, am 386-387, psd 594, S conc 917, enr am 1068, enr 1103 (Chapter 133)
- HB 1265**, permitting municipalities to adopt a system of approval voting. (Schleien, Hills. 37; et al: Election Law)  
9, K 404
- HB 1266**, legalizing firecrackers. (Weyler, Rock. 13; et al: Criminal Justice and Public Safety)  
9, am 391, psd 595, S conc 917, enr 1068, veto sustained (RC) 1223-1226
- HB 1267**, relative to the family hike safe card for fish and game search and recovery expenses. (Chandler, Carr. 1; et al: Fish and Game and Marine Resources)  
9, psd 419, 595, conc S am 922, enr 1099 (Chapter 165)
- HB 1268**, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. (Chandler, Carr. 1; et al: Fish and Game and Marine Resources)  
9, psd 419, 595, conc S am 922, enr 1099 (Chapter 166)
- HB 1269**, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission. (Rosenwald, Hills. 30; et al: Health, Human Services and Elderly Affairs)  
9, am 421, psd 595, conc S am 923, enr 1099, committee members added 1238 (Chapter 167)
- HB 1270**, relative to a jury's determination as to the applicability of a law. (Itse, Rock. 10; et al: Judiciary)  
9, am 556-557, psd (RC) 557-560, 597, S nonconc 919
- HB 1271**, making certain length and width exemptions concerning commercial vehicles and relative to signs advising motorists approaching emergency vehicles in the breakdown lane. (Gagne, Hills. 13; et al: Transportation)  
9, psd 456, 596, conc S am 1097, enr 1173 (Chapter 223)
- HB 1272-FN**, relative to bus transportation for chartered public school students. (Prudhomme-O'Brien, Rock. 6; et al: Education)  
9, am 231-232, psd 232, 248, conc S am 1081, enr 1173 (Chapter 236)
- HB 1273**, requiring a medical care provider to inform a woman who is discovered to have dense breast tissue. (Prudhomme-O'Brien, Rock. 6; et al: Health, Human Services and Elderly Affairs)  
9, K 421
- HB 1274**, establishing a committee to study the efficacy of changes in the community college system of New Hampshire. (Gile, Merr. 27; et al: Education)  
9, K (RC) 769-772

- HB 1275**, relative to net energy metering capacity. (Mann, Ches. 2; Science, Technology and Energy) 9, K 454
- HB 1276**, relative to a taxpayer's application for a property tax abatement. (Brewster, Merr. 21; Judiciary) 9, K 431
- HB 1277**, establishing a homestead act. (Brewster, Merr. 21; Municipal and County Government) 9, K 442
- HB 1278**, requiring payment of lawful money to employees. (Brewster, Merr. 21; Labor, Industrial and Rehabilitative Services) 9, K 434
- HB 1279**, relative to grounds for termination of parental rights. (Prudhomme-O'Brien, Rock. 6; et al: Children and Family Law) 9, psd 385, 594, S study 919
- HB 1280**, relative to grounds for modification of parental rights and responsibilities. (Gargas, Hills. 27; et al: Children and Family Law) 9, SO & psd 685, 736, S conc 919, enr 1068 (Chapter 134)
- HB 1281**, relative to divorce petitions and procedures. (Gargas, Hills. 27; et al: Judiciary) 9, K 211
- HB 1282**, relative to the state building code. (C. McGuire, Merr. 29; et al: Executive Departments and Administration) 9, K (RC) 490-493
- HB 1283**, relative to school notification of a change in placement. (Flanagan, Hills. 26; et al: Education) 9, psd 401, 595, S conc 851, enr am 854, enr 916 (Chapter 65)
- HB 1284**, relative to highway agents. (D. McGuire, Merr. 21; et al: Municipal and County Government) 9, K 442
- HB 1285**, relative to the donation of food that has passed its expiration date. (D. McGuire, Merr. 21; et al: Health, Human Services and Elderly Affairs) 9, am 421, psd 596, S conc 851, enr 914 (Chapter 38)
- HB 1286**, relative to days when fishing without a license is permitted. (Kidder, Merr. 5; et al: Fish and Game and Marine Resources) 9, psd 419, 595, S conc 917, enr 1068 (Chapter 135)
- HB 1287**, repealing a provision of the harassment statute. (Berch, Ches. 1; et al: Judiciary) 10, vac Criminal Justice and Public Safety 137, psd 391, 595, S conc 919, enr 1068 (Chapter 136)
- HB 1288**, relative to the National Guard force protection policy. (Edelblut, Hills. 38; et al: State-Federal Relations and Veterans Affairs) 10, am 654, psd (RC) 654-656, 736, S nonconc 915
- HB 1289**, making technical corrections to certain tax laws. (Major, Rock. 14; et al: Ways and Means) 10, am 459, psd 596, S conc 853, enr am 916, enr 917 (Chapter 85)
- HB 1290**, relative to filing dates for business taxes. (Major, Rock. 14; et al: Ways and Means) 10, am 460, psd 596, S conc 853, enr 916 (Chapter 66)
- HB 1291**, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court. (Eastman, Hills. 28; et al: Resources, Recreation and Development) 10, K 256-257
- HB 1292**, relative to the use of abandoned agricultural property. (Haefner, Hills. 37; et al: Environment and Agriculture) 10, Municipal and County Government 254, psd 746, 818, S conc 915, enr 972 (Chapter 86)
- HB 1293**, relative to the procedure for charter amendments. (Cheney, Straf. 17; et al: Municipal and County Government) 10, am 442-444, psd 596, S conc 1069, enr am 1103, enr 1171 (Chapter 224)

- HB 1294**, relative to exemptions from licensure as a massage therapist. (Wuelper, Straf. 3; et al: Executive Departments and Administration)  
10, am 411, psd 595, S conc 917, enr 1068 (Chapter 137)
- HB 1295-FN**, eliminating the bureau of certificate of title. (Marple, Merr. 24; et al: Transportation)  
10, rem 228, K 248
- HB 1296**, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. (Marple, Merr. 24; et al: Municipal and County Government)  
10, K 444
- HB 1297**, relative to harm to unalienable rights of inhabitants. (Marple, Merr. 24; et al: Criminal Justice and Public Safety)  
10, SO 685, K 688
- HB 1298**, relative to damage to private property and relative to the authority of federal border patrol agents to make arrests in Coos county. (Chandler, Carr. 1; et al: Resources, Recreation and Development)  
10, am & Judiciary 332-334, am 745-746, psd 818, conc S am (RC) 1094-1096, enr 1173 (Chapter 278)
- HB 1299**, relative to the frequency of background checks for camp employees. (Manley, Hills. 3; et al: Resources, Recreation and Development)  
10, K 450
- HB 1300**, relative to the content of patriotic exercises in public schools. (Hill, Merr. 3; et al: Education)  
10, SO 735, am 772, psd (RC) 772-775, 819, S conc 853, enr 916 (Chapter 67)
- HB 1301**, relative to the issuance of youth employment certificates. (Hill, Merr. 3; et al: Labor, Industrial and Rehabilitative Services)  
10, am 599-601, psd (RC) 601-603, 736, nonconc S am, conf 924, 1099, conferee change 1104, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 314)
- HB 1302**, relative to driver's license requirements for operation of a mixed use school bus. (Jones, Straf. 24; Transportation)  
10, psd 456, 596, S conc 919, enr 1068 (Chapter 138)
- HB 1303**, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district. (Weyler, Rock. 13; et al: Education)  
10, am 401-402, psd 595, conc S am 922, enr am 1103, enr 1171 (Chapter 225)
- HB 1304**, relative to town maintenance of a road designated as a highway to summer cottages. (Sterling, Ches. 14; et al: Municipal and County Government)  
10, K 444
- HB 1305**, relative to the use of an ignition interlock device. (Tholl, Coos 5; et al: Criminal Justice and Public Safety)  
10, am 391, psd 595, S conc 1069, enr 1099 (Chapter 168)
- HB 1306**, allowing periodic payments of judgments to include assignment of wages. (Lachance, Hills. 8; et al: Judiciary)  
10, K 431
- HB 1307**, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations. (Lachance, Hills. 8; et al: Commerce and Consumer Affairs)  
10, psd 387, 594, nonconc S am, conf 924, 1099, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 315)
- HB 1308**, allowing motorcycles to pass a vehicle in the same lane or travel between lanes of traffic in certain instances. (Lachance, Hills. 8; et al: Transportation)  
10, K 457
- HB 1309**, adding post-traumatic stress disorder to qualifying medical conditions under therapeutic use of cannabis. (Lachance, Hills. 8; et al: Health, Human Services and Elderly Affairs)  
10, K 422

- HB 1310**, establishing a commission to study health care for all residents of New Hampshire. (Leishman, Hills. 24; et al: Health, Human Services and Elderly Affairs)  
11, study 534
- HB 1311**, relative to solitary confinement. (Myler, Merr. 10; et al: Criminal Justice and Public Safety)  
11, rem 383, K 707
- HB 1312** – not introduced.
- HB 1313-FN**, relative to eligibility to vote and relative to availability of voter information. (Gannon, Rock. 4; et al: Election Law)  
11, psd 471, 596, S nonconc 853
- HB 1314**, limiting the authority of state entities to regulate the sale, use, and possession of firearms. (Comeau, Carr. 5; et al: Criminal Justice and Public Safety)  
11, K (RC) 723-725
- HB 1315**, adding mixed-use development to the definition of business and industrial facility. (Cheney, Straf. 17; et al: Municipal and County Government)  
11, psd 444, 596, S conc 822, enr 852 (Chapter 25)
- HB 1316**, relative to hospital rates for self-pay patients. (Hunt, Ches. 11; Commerce and Consumer Affairs)  
11, psd 387, 594, S conc 919, enr 1068 (Chapter 139)
- HB 1317**, renaming the North Hampton state beach as the Robert Shaw Memorial state beach. (Peckham, Rock. 22; et al: Public Works and Highways)  
11, K 448
- HB 1318**, relative to sex offender registration. (Crawford, Carr. 4; et al: Criminal Justice and Public Safety)  
11, rem 383, SO 735, LT 794-796, died on the table 1237
- HB 1319**, relative to seating assignments of members of the house of representatives. (Patten, Merr. 17; et al: Legislative Administration)  
11, K 437
- HB 1320**, relative to assignment or transfer of an operating permit issued by the department of environmental services. (Cloutier, Sull. 10; et al: Science, Technology and Energy)  
11, K 649
- HB 1321**, relative to transportation of alcoholic beverages by a minor. (Hill, Merr. 3; et al: Criminal Justice and Public Safety)  
11, SO 685, K 688-689
- HB 1322**, relative to reports to the public employee labor relations board. (Hill, Merr. 3; et al: Labor, Industrial and Rehabilitative Services)  
11, am 603, psd (RC) 604-606, 736, S nonconc 1070
- HB 1323**, relative to nonrenewal of a teacher's contract. (T. Smith, Hills. 17; Education)  
11, K 402
- HB 1324**, relative to membership of the oversight committee on health and human services. (Brewster, Merr. 21; Health, Human Services and Elderly Affairs)  
11, K 422
- HB 1325**, relative to the election of chairs of house standing policy committees. (Brewster, Merr. 21; Legislative Administration)  
11, K 437
- HB 1326**, prohibiting the general court from filing legislation in the second year of the session. (Brewster, Merr. 21; Legislative Administration)  
11, K 438
- HB 1327**, relative to the statute of limitations for continuing violations of trespass. (Brewster, Merr. 21; Criminal Justice and Public Safety)  
11, K 392

- HB 1328**, limiting pregnancy terminations to pregnancies of 20 weeks or less. (Hagan, Rock. 4; et al: Judiciary)  
11, K (RC) 560-562
- HB 1329**, relative to transportation of alcoholic beverages. (Zaricki, Hills. 6; et al: Commerce and Consumer Affairs)  
11, rem 383, am & psd 706-707, 736, S conc 915, enr 972 (Chapter 108)
- HB 1330**, appointing a former prisoner to the interbranch criminal and juvenile justice council. (Theberge, Coos 3; et al: Criminal Justice and Public Safety)  
11, SO 685, K 689
- HB 1331**, relative to the membership of the compensation appeals board. (Goley, Hills. 8; Labor, Industrial and Rehabilitative Services)  
11, am 434-435, psd 596, S conc 915, enr am 917, enr 1068 (Chapter 140)
- HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee. (Spang, Straf. 6; et al: Resources, Recreation and Development)  
11, am 450, psd 596, S conc 851, enr am 854, enr 916, committee membership amended 1238 (Chapter 68)
- HB 1333**, requiring that courts provide jurors with information regarding the authority of the position of juror. (Hoell, Merr. 23; et al: Judiciary)  
11, K 431
- HB 1334** – not introduced.
- HB 1335-FN**, relative to state testing of law enforcement officers for steroid use. (Abramson, Rock. 20; et al: Criminal Justice and Public Safety)  
12, SO 685, K 689
- HB 1336-FN-L**, relative to interest on abatements of taxes. (Fromuth, Hills. 7; et al: Municipal and County Government)  
12, K 444
- HB 1337**, relative to rules of the public utilities commission on requiring deposits after disconnect notices to customers. (Fisher, Belk. 9; et al: Science, Technology and Energy)  
12, K 257
- HB 1338**, relative to student exemption from the statewide assessment. (Hoell, Merr. 23; et al: Education)  
12, SO 735, psd (RC) 775-778, 819, S nonconc 919
- HB 1339**, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees. (Butler, Carr. 7; et al: Commerce and Consumer Affairs)  
12, SO 685, am & psd 686-687, 736, nonconc S am, conf 924, 1099, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 316)
- HB 1340**, relative to producer licensing. (Butler, Carr. 7; et al: Commerce and Consumer Affairs)  
12, SO 685, psd 687, 736, S conc 915, enr 972 (Chapter 109)
- HB 1341**, relative to employee payments to unions. (Martin, Merr. 23; Labor, Industrial and Rehabilitative Services)  
12, study 435
- HB 1342**, prohibiting the use of certain information to underwrite insurance. (Hatch, Coos 6; et al: Commerce and Consumer Affairs)  
12, SO 685, K 687
- HB 1343**, prohibiting the retroactive application of the sex offender registry. (C. Chase, Ches. 8; et al: Criminal Justice and Public Safety)  
12, K 392
- HB 1344**, prohibiting the sale or possession of sky lanterns. (Richardson, Coos 4; et al: Criminal Justice and Public Safety)  
12, K 392

- HB 1345**, repealing the age limit for sheriffs. (Richardson, Coos 4; et al: Municipal and County Government)  
12, K 210
- HB 1346**, relative to minimum wage for tipped employees. (Cilley, Straf. 4; et al: Labor, Industrial and Rehabilitative Services)  
12, K (RC) 606-608
- HB 1347**, establishing a committee to study sharing the road with bicycles and motorcycles. (Luneau, Merr. 10, Myler, Merr. 10; et al: Transportation)  
12, K 457
- HB 1348**, repealing the exemption for certain transactions under the consumer protection act. (Luneau, Merr. 10; et al: Commerce and Consumer Affairs)  
12, K (RC) 717-720
- HB 1349**, relative to the Merrimack county superior court. (Schuett, Merr. 20; et al: Public Works and Highways)  
12, am & psd (RC) 623-628, 736, S conc 917, enr am 918, enr 1068 (Chapter 141)
- HB 1350**, relative to allodial rights and violations of the oath of office. (Marple, Merr. 24; et al: Judiciary)  
12, rem 209, SO 219, K 235
- HB 1351**, relative to the laws governing chartered public schools. (Horrigan, Straf. 6; et al: Education)  
12, K 253
- HB 1352-FN**, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. (Byron, Hills. 20; et al: Special Committee on Public Employee Pension Plans)  
12, am & Finance 257-258, ref waived 319, psd 319, S conc 915, enr 972 (Chapter 110)
- HB 1353**, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. (Byron, Hills. 20; Criminal Justice and Public Safety)  
12, am 392, psd 595, conc S am 922, enr 1099 (Chapter 169)
- HB 1354**, establishing a committee to study livestock and meat inspection. (Bixby, Straf. 17; et al: Environment and Agriculture)  
12, am 407-408, psd 595, S conc 1069, enr am &, enr 1103 (Chapter 210)
- HB 1355**, relative to poultry producers exempted from meat inspection requirements. (Bixby, Straf. 17; et al: Environment and Agriculture)  
12, psd 408, 595, S conc 822, enr 852 (Chapter 26)
- HB 1356**, relative to construction of the terms "resident," "inhabitant," "residence," and "residency." (Bates, Rock. 7; et al: Election Law)  
12, am 471-472, psd 472, 596, S LT 1069, died on the table 1238
- HB 1357**, relative to the duties of the department of cultural resources. (Danielson, Hills. 7; et al: Executive Departments and Administration)  
12, am 411-412, psd 595, S conc 919, enr am 1068, enr 1103 (Chapter 142)
- HB 1358**, regulating engine idling of certain vehicles. (Danielson, Hills. 7; et al: Transportation)  
12, K 663
- HB 1359**, relative to the tax credit for service-connected disability. (Estevez, Hills. 37; et al: Municipal and County Government)  
13, rem 383, SO 735, LT 817, died on the table 1237
- HB 1360-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire. (Eastman, Hills. 28; et al: Ways and Means)  
13, LT 678, died on the table 1237
- HB 1361**, relative to service of process by attorneys and justices of the peace. (Hull, Graf. 9; Judiciary)  
13, K 562-563
- HB 1362**, requiring telephone notice where an electrical outage is expected to exceed 4 hours. (Hull, Graf. 9; Science, Technology and Energy)  
13, K 454

- HB 1363**, relative to filling of vacancies in town offices. (Hull, Graf. 9; Municipal and County Government)  
13, K 445
- HB 1364**, relative to the membership of the cooperative school district budget committee. (Hull, Graf. 9; et al: Education)  
13, K 402
- HB 1365**, requiring public schools to observe New Hampshire constitution day. (Prudhomme-O'Brien, Rock. 6; et al: Education)  
13, SO 735, K (RC) 778-780
- HB 1366**, relative to the definition of educational competencies. (Hoell, Merr. 23; et al: Education)  
13, K 402-403
- HB 1367**, relative to the public utility commission's authority to implement measures to increase the reliability, cost effectiveness, efficiency, or resiliency of the electrical grid. (Oxenham, Sull. 1; et al: Science, Technology and Energy)  
13, K 454
- HB 1368-FN**, requiring firearms owners to have liability insurance. (Rogers, Merr. 28; et al: Commerce and Consumer Affairs)  
13, K (RC) 362-364
- HB 1369**, requiring judges to grant earned time credits when a prisoner has substantially reduced the threat he or she poses to the public. (Robertson, Ches. 6; et al: Criminal Justice and Public Safety)  
13, K 392
- HB 1370**, relative to termination of tenancy. (Groen, Straf. 10; Judiciary)  
13, rem 383, am & psd 708, 736, S nonconc 919
- HB 1371**, establishing a committee to study education savings accounts for families of special needs students. (Cordelli, Carr. 4; et al: Education)  
13, SO 735, study 781
- HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom. (Cordelli, Carr. 4; et al: Education)  
13, am 403, psd 595, S conc 915, enr 972 (Chapter 87)
- HB 1373-FN**, adding 2 alternative treatment centers under the law governing use of cannabis for therapeutic purposes. (Lachance, Hills. 8; et al: Health, Human Services and Elderly Affairs)  
13, K 255
- HB 1374**, relative to rebates to ratepayers from the renewable energy fund. (Notter, Hills. 21; et al: Science, Technology and Energy)  
13, K (RC) 649-652
- HB 1375**, relative to deliberative sessions in political subdivisions that have adopted official ballot voting. (Ammon, Hills. 40; et al: Municipal and County Government)  
13, psd 230, 248, nonconc S am 1093
- HB 1376**, relative to temporary workers. (Cahill, Rock. 17; et al: Labor, Industrial and Rehabilitative Services)  
13, K 608-609
- HB 1377**, relative to receipt of absentee ballots. (Fields, Belk. 4; et al: Election Law)  
13, am 405, psd 595, nonconc S am, conf 924, 1099, rep adop 1151, 1160, enr am 1180-1181, enr 1192 (Chapter 317)
- HB 1378**, relative to disabled voters requiring assistance. (Fields, Belk. 4; Election Law)  
13, am 405, psd 595, S conc 915, enr 972 (Chapter 88)
- HB 1379**, amending the requirement to use English in schools. (Ammon, Hills. 40; et al: Education)  
13, K 403
- HB 1380**, relative to duties of police commissions. (Gray, Straf. 8; Municipal and County Government)  
13, K 445



- HB 1381-FN**, relative to the sale of smoke bombs. (L. Christiansen, Hills. 37; et al: Criminal Justice and Public Safety)  
13, am 392-393, psd 595, S nonconc 917
- HB 1382**, relative to the referendum procedure for public water systems. (Cheney, Straf. 17; et al: Municipal and County Government)  
13, psd 618-619, 736, S nonconc 1070
- HB 1383**, repealing the penalty for carrying away seaweed at night. (Abramson, Rock. 20; et al: Fish and Game and Marine Resources)  
13, K 419
- HB 1384**, clarifying powers of commissioners of deeds. (Abel, Graf. 13; et al: Municipal and County Government)  
14, K 445
- HB 1385-FN-A**, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Lovejoy, Rock. 36; et al: Ways and Means)  
14, am 460-461, psd 596, nonconc S am, conf 1078, S rej conf 1100
- HB 1386-FN**, establishing a process for petitions for redress of grievance. (Brewster, Merr. 21; Legislative Administration)  
14, K 438
- HB 1387**, relative to vacancies in county offices. (Welch, Rock. 13; et al: Election Law)  
14, K 405
- HB 1388-FN**, expanding crossbow use into muzzleloader season. (Spillane, Rock. 2; et al: Fish and Game and Marine Resources)  
14, psd 419, 595, S conc 822, enr am 852, enr 856 (Chapter 27)
- HB 1389**, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting. (Spillane, Rock. 2; et al: Municipal and County Government)  
14, rem 228, K 247
- HB 1390**, relative to municipal authority to restrict where registered sex offenders live. (Webb, Rock. 6; et al: Municipal and County Government)  
14, K 445
- HB 1391**, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels. (Webb, Rock. 6; et al: Ways and Means)  
14, psd 461, 596, S conc 917, enr am 1068, enr 1099 (Chapter 170)
- HB 1392-L**, relative to notice of land use violations and court costs in cases brought by a municipality. (L. Turcotte, Straf. 4; et al: Municipal and County Government)  
14, K 445-446
- HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid. (Weyler, Rock. 13; et al: Education)  
14, SO 735, K (RC) 781-783, recon rej 816
- HB 1394**, relative to the appropriation for developmental services. (Weyler, Rock. 13; et al: Health, Human Services and Elderly Affairs)  
14, am 422, psd 596, S conc 919, enr 1068 (Chapter 143)
- HB 1395**, relative to municipal electronic records. (C. McGuire, Merr. 29; et al: Municipal and County Government)  
14, am 446, psd 596, conc S am 1094, enr 1173 (Chapter 226)
- HB 1396**, relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. (D. Brown, Graf. 16; et al: Transportation)  
14, psd 457, 596, nonconc S am, conf 1077, 1099, conferee change 1104, rep adop 1151, 1160, enr am 1181, enr 1192, (Chapter 318)

- HB 1397**, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen. (Irwin, Sull. 9; et al: Public Works and Highways)  
14, psd 448, 596, conc S am 826, enr 856 (Chapter 28)
- HB 1398**, establishing a commission to study septic sludge spreading. (Irwin, Sull. 9; et al: Environment and Agriculture)  
14, K 408
- HB 1399-FN**, requiring licensure of outpatient abortion clinics. (Souza, Hills. 43; et al: Judiciary)  
14, K (RC) 563-565
- HB 1400**, defining suitable person for the purpose of obtaining a license to carry a firearm and extending the term of the license. (Hoell, Merr. 23; et al: Criminal Justice and Public Safety)  
14, K (RC) 726-728
- HB 1401**, relative to public libraries. (Vose, Rock. 9; et al: Municipal and County Government)  
14, K 619
- HB 1402**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. (Hoell, Merr. 23; et al: Municipal and County Government)  
14, LT 240-241, died on the table 1237
- HB 1403**, relative to reinsurance. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)  
14, psd 387-388, 594, S conc 919, enr 1068 (Chapter 144)
- HB 1404-FN**, relative to certain positions in the insurance department. (Butler, Carr. 7; et al: Executive Departments and Administration)  
15, am & Finance 254, psd 742, 818, nonconc S am, conf 1073, 1100, rep not filed 1237
- HB 1405**, repealing the prohibition on after market tinted glass in motor vehicles. (Borden, Rock. 24; Transportation)  
15, K 457
- HB 1406**, establishing a commission to study the termination of Medicaid benefits when a person enters certain state institutions or county correctional facilities. (Snow, Hills. 42; et al: Health, Human Services and Elderly Affairs)  
15, study 422
- HB 1407**, establishing a property tax credit for persons providing certain home health care services for a family member. (B. Tilton, Ches. 12; et al: Municipal and County Government)  
15, K 446
- HB 1408-FN**, relative to a school building inventory. (Ladd, Graf. 4; et al: Education)  
15, psd 403, 595, S nonconc 919
- HB 1409**, relative to life, accident, and health insurance. (Hunt, Ches. 11, Flanders, Belk. 3; et al: Commerce and Consumer Affairs)  
15, am 388, psd 594, S conc 915, enr 972 (Chapter 111)
- HB 1410**, relative to motor vehicle coverage. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)  
15, am 388, psd 594, S conc 915, enr 972 (Chapter 112)
- HB 1411**, making civics mandatory in public schools. (Estevez, Hills. 37; et al: Education)  
15, K 403
- HB 1412-FN**, relative to duties of the public utilities commission. (Oxenham, Sull. 1; et al: Science, Technology and Energy)  
15, K 334
- HB 1413**, establishing a commission to study processes to resolve right-to-know complaints. (Souza, Hills. 43; et al: Judiciary)  
15, K 431
- HB 1414**, repealing the home education advisory council. (Hoell, Merr. 23; et al: Education)  
15, rem 383, SO 735, K (RC) 799-801

- HB 1415**, relative to escape from official custody. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)  
15, psd 393, 595, conc S am 922, enr 1099 (Chapter 171)
- HB 1416-FN**, relative to funding for state criminal background checks. (Rogers, Merr. 28; et al: Executive Departments and Administration)  
15, K 277
- HB 1417**, relative to records of convenings of public bodies. (Sylvia, Belk. 6; et al: Judiciary)  
15, K (RC) 565-568
- HB 1418-L**, relative to the minutes of nonpublic sessions of public bodies. (Sylvia, Belk. 6; et al: Judiciary)  
15, psd 432, 596, S conc 822, enr 852 (Chapter 29)
- HB 1419**, relative to voting records in nonpublic sessions of public bodies. (Sylvia, Belk. 6; et al: Judiciary)  
15, psd 432, 596, S conc 822, enr 856 (Chapter 30)
- HB 1420**, relative to controlled drug prescription health and safety information. (J. Ward, Rock. 19; et al: Health, Human Services and Elderly Affairs)  
15, am 534-535, K (RC) 535-537
- HB 1421-FN**, relative to exemptions from certificate of title for a vehicle. (Ammon, Hills. 40; et al: Transportation)  
15, K 457
- HB 1422-FN**, creating an exemption from the business profits tax for new businesses in New Hampshire. (Estevez, Hills. 37; et al: Ways and Means)  
15, rem 384, K 708
- HB 1423-FN**, relative to rulemaking for prescribing controlled drugs. (Rosenwald, Hills. 30; et al: Health, Human Services and Elderly Affairs)  
15, am 422-425, psd 596, conc S am 923, enr 1103 (Chapter 213)
- HB 1424-FN**, establishing an office of program evaluation and government accountability. (Hannon, Straf. 25; et al: Executive Departments and Administration)  
15, K 412
- HB 1425-FN**, restricting the use of food stamps in convenience stores. (Leeman, Straf. 23; Health, Human Services and Elderly Affairs)  
15, K 425
- HB 1426-FN**, relative to earned time credits for prisoners participating in educational programming. (Welch, Rock. 13; et al: Criminal Justice and Public Safety)  
15, am 393-394, psd 595, conc S am 922, enr 1099 (Chapter 172)
- HB 1427-FN-A-L**, suspending the water and air pollution control facility property tax exemption and appropriating certain revenues for water pollution control grants to municipalities. (Cushing, Rock. 21; et al: Municipal and County Government)  
16, K 211
- HB 1428-FN-A-L**, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program. (Buco, Carr. 2; et al: Finance)  
16, am 497-498, psd 498, 597, nonconc S am, conf 1074, 1100, rep adop 1152, 1160-1161, enr am 1181, enr 1235 (Chapter 319)
- HB 1429**, relative to the use of microbeads in personal care products and over-the-counter drugs. (Pearson, Ches. 4; et al: Health, Human Services and Elderly Affairs)  
16, K 425

- HB 1430-FN**, relative to operation of compact utility tractors. (L. Turcotte, Straf. 4; et al: Transportation)  
16, am & Finance 242, ref waived 379, psd 594, conc S am 1097, enr am 1173, enr 1177 (Chapter 260)
- HB 1431**, relative to academic freedom and whistleblower protection. (Edelblut, Hills. 38; et al: Education)  
16, K 403
- HB 1432-FN**, including the legislature as a public employer under the public employee labor relations act. (Cushing, Rock. 21; et al: Legislative Administration)  
16, K 438
- HB 1433-FN**, establishing the office of ombudsman in the department of state. (Itse, Rock. 10; et al: Executive Departments and Administration)  
16, study 493
- HB 1434-FN**, relative to out-of-home placements under the child protection act. (Itse, Rock. 10; et al: Children and Family Law)  
16, am & Criminal Justice and Public Safety 251, ref waived 331, psd 377, S nonconc 915
- HB 1435**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Leeman, Straf. 23; et al: Criminal Justice and Public Safety)  
16, K (RC) 689-691
- HB 1436-FN**, relative to exemption from the yield tax on timber for clearing for solar energy. (Townsend, Graf. 11; et al: Ways and Means)  
16, K 461
- HB 1437**, relative to health insurance fraud and abuse reporting. (Sad, Ches. 1; Commerce and Consumer Affairs)  
16, K 388
- HB 1438-FN-L**, relative to the registration of antique trailers. (D. McGuire, Merr. 21; et al: Transportation)  
16, psd 212, 219, S conc 819, enr 851 (Chapter 16)
- HB 1439-L**, requiring regional planning commissions to file an annual report. (McConnell, Ches. 12; et al: Municipal and County Government)  
16, K 446
- HB 1440-FN**, relative to certification for solid waste operators. (Manley, Hills. 3; et al: Environment and Agriculture)  
16, K (RC) 480-482
- HB 1441-FN**, requiring business impact notes for proposed legislation. (Sanborn, Hills. 41; et al: Legislative Administration)  
16, study 438
- HB 1442-FN**, relative to objections to proposed agency rules under the administrative procedure act. (Sanborn, Hills. 41; et al: Executive Departments and Administration)  
16, K 493
- HB 1443-FN**, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing. (Almy, Graf. 13; et al: Ways and Means)  
16, K (RC) 678-681
- HB 1444-FN-A**, relative to the rate of the insurance premium tax. (Almy, Graf. 13; et al: Commerce and Consumer Affairs)  
16, K (RC) 365-367
- HB 1445-FN**, relative to tinted windows on motor vehicles. (Tamburello, Rock. 5; et al: Transportation)  
16, psd 663-664, 736, S nonconc 917
- HB 1446**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; et al: Transportation)  
16, K (RC) 242-245

- HB 1447-FN**, relative to child support paid through the department of health and human services. (Tamburello, Rock. 5; et al: Finance)  
17, K 414
- HB 1448**, relative to contact between a plaintiff and defendant subject to a protective order. (Scontsas, Hills. 30; et al: Judiciary)  
17, vac Criminal Justice and Public Safety 137, K 692
- HB 1449-FN**, relative to additional temporary supplemental allowances for retired members of the retirement system. (Elliott, Rock. 8; Special Committee on Public Employee Pension Plans)  
17, study 454
- HB 1450**, relative to risk-based capital for insurers. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)  
17, psd 388, 594, S conc 915, enr 972 (Chapter 113)
- HB 1451-FN**, relative to the annulment of certain criminal offenses. (Parison, Hills. 25; et al: Criminal Justice and Public Safety)  
17, am & psd 692, 736, S conc 915, enr 972 (Chapter 89)
- HB 1452**, relative to motor vehicle laws applicable to diplomats and certain officials. (Steven Smith, Sull. 11; Transportation)  
17, psd 457, 596, S conc 919, enr 1068 (Chapter 145)
- HB 1453**, relative to qualifying medical conditions for purposes of therapeutic cannabis. (Luneau, Merr. 10; et al: Health, Human Services and Elderly Affairs)  
17, psd (RC) 537-540, 597, S conc 1069, enr 1099 (Chapter 173)
- HB 1454**, establishing a committee to determine a process for inhabitants of the state to effectuate the protections of Article 14. (Marple, Merr. 24; et al: Legislative Administration)  
17, K 438
- HB 1455**, relative to the application of the municipal budget law to village districts wholly within a town. (Bickford, Straf. 3; et al: Municipal and County Government)  
17, am & psd 619-620, 736, S nonconc 1070
- HB 1456**, relative to chartered public school boards. (Horrigan, Straf. 6; et al: Education)  
17, K 403
- HB 1457**, establishing a code of professional ethics for New Hampshire teachers. (Ladd, Graf. 4; et al: Education)  
17, study 404
- HB 1458**, relative to social media policies for educational institutions. (Seaworth, Merr. 20; et al: Education)  
17, K 404
- HB 1459**, relative to commercial coverage. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)  
17, am 388-389, psd 594, S conc 915, enr 972 (Chapter 115)
- HB 1460**, relative to perambulation of town boundaries. (Hunt, Ches. 11; et al: Municipal and County Government)  
17, K 446
- HB 1461**, relative to the definition of and criteria for protection instream flow. (Mullen, Straf. 1, Spang, Straf. 6; et al: Resources, Recreation and Development)  
17, am 450, psd 596, conc S am 1096, enr am 1175, enr 1182 (Chapter 286)
- HB 1462**, relative to the height of a motor vehicle body and chassis. (Byron, Hills. 20; Transportation)  
17, K 457
- HB 1463**, relative to mandatory vaccines. (Burt, Hills. 39; et al: Labor, Industrial and Rehabilitative Services)  
17, study 435
- HB 1464-FN**, relative to monitoring visits to child day care agencies. (Burt, Hills. 39; et al: Health, Human Services and Elderly Affairs)  
17, K 425

- HB 1465**, relative to recording of roll calls of legislative committees. (Hannon, Straf. 25; et al: Legislative Administration)  
17, K 438-439
- HB 1466**, relative to labeling requirements for certain homestead food operations. (Hannon, Straf. 25; Environment and Agriculture)  
17, rem 383, K 707
- HB 1467**, relative to notice of village district elections. (Bates, Rock. 7; Election Law)  
17, am 405, psd 595, S conc 915, enr 972 (Chapter 116)
- HB 1468**, relative to sessions for correction of the checklist. (Bates, Rock. 7; Election Law)  
17, am 472, psd 472, 596, S conc 1069, enr 1099 (Chapter 174)
- HB 1469**, relative to the restriction of drivers' licenses for nonpayment of child support. (Eastman, Hills. 28; et al: Transportation)  
17, K 457
- HB 1470-FN**, permitting additional site evaluation committee membership from towns or cities affected by an application. (Hull, Graf. 9; et al: Science, Technology and Energy)  
17, K 652
- HB 1471**, relative to parental rights. (Hoell, Merr. 23; et al: Children and Family Law)  
17, psd (RC) 714-716, 736, S nonconc 919
- HB 1472**, relative to the siting of certain new pipelines and storage vessels. (McConnell, Ches. 12; et al: Science, Technology and Energy)  
17, K 454
- HB 1473**, relative to small loans. (Jones, Straf. 24; Commerce and Consumer Affairs)  
17, K 389
- HB 1474**, requiring the collection of data relative to firearm related deaths and injuries. (Rogers, Merr. 28; et al: Executive Departments and Administration)  
18, vac Criminal Justice and Public Safety 137, K (RC) 692-695
- HB 1475-FN-A**, establishing a death benefit for a school employee killed in the line of duty. (Rogers, Merr. 28; et al: Finance)  
18, K (RC) 498-501
- HB 1476**, relative to prohibitions on the employment of youth. (Hoell, Merr. 23; et al: Labor, Industrial and Rehabilitative Services)  
18, K 435
- HB 1477**, relative to the grace period for motor vehicle inspections. (D. McGuire, Merr. 21; et al: Transportation)  
18, psd 211, 219, S study 1069
- HB 1478**, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments. (Williams, Hills. 4; et al: Commerce and Consumer Affairs)  
18, SO 685, psd 687, 736, S study 919
- HB 1479**, establishing a broadband study committee. (Townsend, Graf. 11; et al: Science, Technology and Energy)  
18, K 652-653
- HB 1480-FN**, establishing a state minimum wage. (Butler, Carr. 7, Berch, Ches. 1; et al: Labor, Industrial and Rehabilitative Services)  
18, K (RC) 609-612
- HB 1481**, relative to the qualifications of jurors. (Sylvia, Belk. 6; Judiciary)  
18, K 568
- HB 1482**, relative to the Interstate Voter Registration Crosscheck Program. (Backus, Hills. 19; et al: Election Law)  
18, am 473, psd (RC) 473-476, 596, S conc 1069, enr 1099 (Chapter 175)
- HB 1483**, relative to community renewable energy. (Oxenham, Sull. 1; et al: Science, Technology and Energy)  
18, K 454

- HB 1484**, relative to the election of members of the state board of education. (Cordelli, Carr. 4; et al: Education)  
18, SO 735, K 784
- HB 1485**, relative to private rights of action under the pupil safety and violence prevention act. (McBeath, Rock. 26; et al: Education)  
18, K 253
- HB 1486**, relative to membership of the state house bicentennial commission. (Cushing, Rock. 21; Legislative Administration)  
18, psd 439, 596, conc S am 923, enr 1103, committee membership amended 1238 (Chapter 146)
- HB 1487** – not introduced.
- HB 1488**, establishing a commission to review and make recommendations for the recodification of RSA 284 and RSA 287-D. (D. Sullivan, Hills. 42; Ways and Means)  
18, K 461
- HB 1489**, establishing a committee to study the rates of employer contributions in the retirement system. (Kurk, Hills. 2; Special Committee on Public Employee Pension Plans)  
18, K 455
- HB 1490**, relative to collaborative practice between pharmacists and health care practitioners and relative to certain drug take-back programs. (MacKay, Merr. 14; et al: Health, Human Services and Elderly Affairs)  
18, psd 426, 596, conc S am 923, enr 1099 (Chapter 214)
- HB 1491**, relative to trust fund interest. (Kurk, Hills. 2; Commerce and Consumer Affairs)  
18, K 389
- HB 1492**, regarding individual privacy when law enforcement agencies use body-worn cameras. (Kurk, Hills. 2; Criminal Justice and Public Safety)  
18, K 394
- HB 1493**, relative to ownership of DNA. (Kurk, Hills. 2; et al: Judiciary)  
18, am 568, psd 568, 597, S study 919
- HB 1494**, relative to the expectation of privacy in personal information. (Kurk, Hills. 2; Judiciary)  
18, K 432
- HB 1495-FN-L**, relative to insurance incentives to lower costs of health care. (Kurk, Hills. 2; et al: Commerce and Consumer Affairs)  
18, rem 250, K 376
- HB 1496**, relative to the expectation of privacy in personal materials. (Kurk, Hills. 2; Judiciary)  
18, K (RC) 568-571
- HB 1497**, relative to the limits on disclosure of information used on college entrance exams. (Kurk, Hills. 2; Education)  
18, rem 383, SO 735, psd 802, 819, S conc 853, enr 916 (Chapter 69)
- HB 1498**, repealing the prohibition on certain gambling. (Ammon, Hills. 40; et al: Ways and Means)  
18, K 461
- HB 1499-FN**, relative to certificates for rabies vaccination of dogs, cats, or ferrets. (Ammon, Hills. 40; et al: Environment and Agriculture)  
18, K 482
- HB 1500**, relative to default budgets for the purpose of setting tax rates. (Ammon, Hills. 40; et al: Municipal and County Government)  
18, K (RC) 620-623
- HB 1501**, relative to qualifying medical conditions for the use of cannabis. (Wright, Carr. 8; et al: Health, Human Services and Elderly Affairs)  
19, K 426
- HB 1502**, establishing a committee to study odor emissions from landfills. (Massimilla, Graf. 1; et al: Science, Technology and Energy)  
19, K 454

- HB 1503**, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax. (Fields, Belk. 4; et al: Election Law)  
19, psd 406, 595, nonconc S am, conf 1073, 1100, conferee change 1104, rep adop 1152, 1161, enr am 1181, enr 1192 (Chapter 320)
- HB 1504-FN-L**, relative to the execution of a real estate tax lien on a primary residence. (Hoell, Merr. 23; et al: Municipal and County Government)  
19, K 446-447
- HB 1505**, allowing municipalities to exempt water and sewer pollution control facilities owned by educational institutions from the local property tax. (Cushing, Rock. 21; Municipal and County Government)  
19, K 211
- HB 1506**, establishing a committee to study the use of solitary confinement in New Hampshire. (Edwards, Hills. 11; et al: Criminal Justice and Public Safety)  
19, K 394
- HB 1507**, amending the procedures for the use of solitary confinement and establishing a committee to study the use and effectiveness of solitary confinement in New Hampshire. (Edwards, Hills. 11; et al: Criminal Justice and Public Safety)  
19, K 394-395
- HB 1508**, allowing public libraries to run certain privacy software. (Ammon, Hills. 40; et al: Municipal and County Government)  
19, am & psd 623, 736, S study 1069
- HB 1509**, relative to the definition of "houseboat." (Ammon, Hills. 40; Transportation)  
19, K 664
- HB 1510**, relative to the review of minutes of nonpublic sessions. (Ammon, Hills. 40; et al: Judiciary)  
19, K 432
- HB 1511-FN-L**, relative to hours of polling. (Burton, Straf. 6; Election Law)  
19, K 406
- HB 1512**, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation. (Murphy, Hills. 7; Labor, Industrial and Rehabilitative Services)  
19, study 435
- HB 1513**, relative to the duties of registers of probate. (Gray, Straf. 8; Municipal and County Government)  
19, study 447
- HB 1514**, relative to the application of nitrogen and phosphorus content fertilizers. (Schroader, Rock. 17; et al: Environment and Agriculture)  
19, K 408
- HB 1515**, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising. (Schroader, Rock. 17; et al: Election Law)  
19, am 406, psd 595, S conc 915, enr 972 (Chapter 90)
- HB 1516-FN**, relative to balance billing. (Luneau, Merr. 10; et al: Commerce and Consumer Affairs)  
19, study 389
- HB 1517**, relative to temporary seasonal docks. (McConkey, Carr. 3, Chandler, Carr. 1; et al: Resources, Recreation and Development)  
19, study 633
- HB 1518**, relative to village district members of budget committees. (Bates, Rock. 7; Municipal and County Government)  
19, K 447
- HB 1519**, relative to the season for taking bear using dogs set by the executive director of fish and game. (T. Walsh, Merr. 24; Fish and Game and Marine Resources)  
19, K 419



- HB 1520**, relative to the membership of the medical review subcommittee. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs)  
19, K 255
- HB 1521**, allowing voters to vote for multiple candidates for an office. (Ammon, Hills. 40; et al: Election Law)  
19, K 406
- HB 1522**, adopting the Federal Rules of Civil Procedure as law. (Goulette, Hills. 23; Judiciary)  
19, K 571
- HB 1523**, relative to government construction contracts. (Abramson, Rock. 20; et al: Labor, Industrial and Rehabilitative Services)  
19, study 435
- HB 1524-FN-A**, repealing fish and game department authority to establish fees by administrative rulemaking. (Duarte, Rock. 2; et al: Fish and Game and Marine Resources)  
19, K (RC) 278-281
- HB 1525-FN**, relative to the circumstances that constitute indecent exposure and lewdness. (Gallagher, Belk. 4; et al: Criminal Justice and Public Safety)  
19, divide from introduction motion (RC) 28-31, K 395
- HB 1526-FN-L**, providing for the election of members of the county convention as a separate county office. (Buco, Carr. 2; et al: Municipal and County Government)  
19, K 230
- HB 1527-FN-A**, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor, and relative to the revenue stabilization reserve account. (L. Ober, Hills. 37; et al: Executive Departments and Administration)  
20, Finance 277, psd 757, 819, conc S am 1094, enr 1173 (Chapter 237)
- HB 1528-FN**, relative to standards for aerobic septic systems. (Pitre, Straf. 2; et al: Environment and Agriculture)  
20, K 482-483
- HB 1529-FN**, relative to reporting of felony convictions for voter checklist updates. (Bates, Rock. 7; Election Law)  
20, am 476-477, psd 477, 597, S nonconc 853
- HB 1530-FN-L**, relative to mail-in voting. (Rogers, Merr. 28; et al: Election Law)  
20, K (RC) 477-479
- HB 1531**, permitting the legislature to open the state house on weekends. (Haefner, Hills. 37; et al: Legislative Administration)  
20, Finance 256, psd 757, 819, conc S am 1094, enr am 1173-1174, enr 1177 (Chapter 261)
- HB 1532**, permitting state or county prisoners to vote by absentee ballot. (P. Schmidt, Straf. 19; et al: Election Law)  
20, K 479
- HB 1533**, relative to noise level limitations for permanent machinery. (McConnell, Ches. 12; et al: Municipal and County Government)  
20, K 447
- HB 1534**, relative to reports of death of voters and authorizing an electronic poll book trial program. (Bates, Rock. 7; et al: Election Law)  
20, psd 406, 595, rej & returned/House Rule 35e
- HB 1535-FN**, relative to liability for payment of criminal record background checks and drug tests. (Ulery, Hills. 37; Labor, Industrial and Rehabilitative Services)  
20, K 435
- HB 1536-FN-A**, relative to funding for search and rescue operations of the fish and game department, and applying resident fishing licenses to use by the purchaser's family. (Brewster, Merr. 21; Resources, Recreation and Development)  
20, K 257

- HB 1537-FN**, relative to testing for Lyme disease. (P. Brown, Hills. 31; et al: Health, Human Services and Elderly Affairs)  
20, K 426
- HB 1538-FN-A**, relative to revising the business enterprise tax as a business flat tax, reducing the rate of the interest and dividends tax, repealing certain taxes, and establishing a commission to recommend statutory changes for the implementation of this new tax structure. (Ingbreton, Graf. 15; Ways and Means)  
20, K 461
- HB 1539-FN**, relative to procedures for resolving ties in legislative races. (Cushing, Rock. 21; et al: Election Law)  
20, K 406
- HB 1540-FN**, relative to direct shipments of beer. (Murphy, Hills. 7; et al: Commerce and Consumer Affairs)  
20, SO 685, psd 688, 736, S nonconc 917
- HB 1541-FN**, prohibiting placement of certain persons with a mental illness in the secure psychiatric unit, and authorizing the commissioner of the department of corrections to seek therapeutic alternatives. (Cushing, Rock. 21; et al: Health, Human Services and Elderly Affairs)  
20, study 426
- HB 1542-FN**, requiring drug testing of public assistance recipients. (Leeman, Straf. 23; et al: Health, Human Services and Elderly Affairs)  
20, K 426
- HB 1543-FN**, relative to prosecutorial misconduct. (Abramson, Rock. 20; et al: Criminal Justice and Public Safety)  
20, K 695
- HB 1544-FN-A-L**, establishing a tax on revenues from natural gas transmission. (B. Tilton, Ches. 12; Ways and Means)  
20, K 461
- HB 1545-FN**, relative to Lucky 7 tickets. (Infantine, Hills. 13; Ways and Means)  
20, study 461-462
- HB 1546-FN**, permitting the audio recording of a public servant performing a public function. (Hull, Graf. 9; et al: Criminal Justice and Public Safety)  
20, LT 728-729, remarks printed 729, died on the table 1237
- HB 1547-FN**, prohibiting bestiality. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)  
20, am & psd 695-696, 736, nonconc S am, conf 924, 1100, rep adop 1152, 1161, enr am 1182, enr 1192 (Chapter 321)
- HB 1548-FN**, prohibiting the trade of shark fins. (Booras, Hills. 33; Commerce and Consumer Affairs)  
20, Vac Fish and Game and Marine Resources 31, K 534
- HB 1549-FN**, requiring the department of safety to establish a database cataloging certain law enforcement activities. (Ammon, Hills. 40; et al: Criminal Justice and Public Safety)  
20, K (RC) 696-699
- HB 1550-FN**, relative to the duties of the ombudsman. (Ammon, Hills. 40; et al: Health, Human Services and Elderly Affairs)  
20, K 255
- HB 1551-FN-A**, establishing the John and Molly Stark scholarship program and making an appropriation therefor. (Burton, Straf. 6; et al: Education)  
21, am & Finance 258-259, study 757
- HB 1552-FN**, extending the penalty of death to acts of terrorism and civil rights offenses. (Flanagan, Hills. 26; Criminal Justice and Public Safety)  
21, K 699
- HB 1553-FN**, transferring the administration of the telecommunications accounting unit. (L. Ober, Hills. 37; et al: Science, Technology and Energy)  
21, Finance 335, psd 758, 819, S conc 853, enr 1068 (Chapter 147)

- HB 1554-FN**, establishing a state sports lottery. (Schroadter, Rock. 17; et al: Ways and Means)  
21, K 462
- HB 1555-FN**, relative to the manner in which New Hampshire takes possession of land. (McConnell, Ches. 12; et al: Judiciary)  
21, K 571
- HB 1556-FN**, relative to Lucky 7 tickets. (D. Sullivan, Hills. 42; Executive Departments and Administration)  
21, study 255
- HB 1557-FN**, relative to alcohol and drug treatment programs. (Kurk, Hills. 2; Health, Human Services and Elderly Affairs)  
21, LT 281-282, died on the table 1237
- HB 1558-FN**, requiring the university system of New Hampshire to examine the disposition of children in state custody. (Brewster, Merr. 21; Education)  
21, K 404
- HB 1559-FN**, relative to property taxes paid by education facilities leasing property. (Horrigan, Straf. 6; Municipal and County Government)  
21, K 447
- HB 1560-FN**, relative to abortion procedures. (Moore, Hills. 21; et al: Judiciary)  
21, K (RC) 314-316
- HB 1561-FN**, relative to freedom of expression on college campuses. (Edelblut, Hills. 38; et al: Education)  
21, study 259
- HB 1562-FN-L**, allowing counties to establish heroin use prevention and treatment programs. (Abramson, Rock. 20; et al: Municipal and County Government)  
21, K 213
- HB 1563-FN-L**, relative to funding for full-day kindergarten pupils. (Luneau, Merr. 10; et al: Education)  
21, K (2RCs) 259-264
- HB 1564-FN-A**, establishing an independent redistricting commission. (Cote, Hills. 31; et al: Election Law)  
21, K (RC) 270-273
- HB 1565-FN**, relative to transportation companies under the Medicaid managed care program. (Martel, Hills. 44; et al: Health, Human Services and Elderly Affairs)  
21, K 255
- HB 1566-FN**, relative to out-of-state transportation companies. (Martel, Hills. 44; et al: Health, Human Services and Elderly Affairs)  
21, rem 250, K 376
- HB 1567-FN-A**, authorizing friends of animal number plates. (Massimilla, Graf. 1; et al: Transportation)  
21, K 231
- HB 1568-FN-A**, relative to prepaid road tolls for electric vehicles. (F. Tilton, Belk. 3; et al: Public Works and Highways)  
21, am & Ways and Means 332, study 746
- HB 1569-FN**, relative to volunteers under the department of resources and economic development. (C. Christensen, Hills. 21; et al: Judiciary)  
21, am 432-433, psd 596, S nonconc 915
- HB 1570-FN**, repealing the law governing access to reproductive health care facilities. (Hoell, Merr. 23; et al: Judiciary)  
21, psd (RC) 572-574, 597, recon rej 577, S LT 919, died on the table 1238
- HB 1571-FN**, prohibiting the possession, purchase, or sale of equipment used for animal fighting. (Booras, Hills. 33; Environment and Agriculture)  
21, K 408

- HB 1572-FN**, establishing a broadband deployment tax credit incentive program against the business profits tax and the business enterprise tax. (Townsend, Graf. 11; et al: Ways and Means) 21, study 462
- HB 1573-FN**, relative to brokers arranging transportation for Medicaid patients. (Martel, Hills. 44; et al: Health, Human Services and Elderly Affairs) 21, K 255-256
- HB 1574-FN-A**, relative to the penalty assessment fund and requiring payment into the penalty assessment for persons performing court-mandated community service. (Tholl, Coos 5; et al: Judiciary) 22, K 256
- HB 1575-FN**, prohibiting certain court filing fees. (Brewster, Merr. 21; Judiciary) 22, K 574
- HB 1576-FN-L**, repealing the licensure of dogs. (Hull, Graf. 9; et al: Municipal and County Government) 22, K 241
- HB 1577-FN**, relative to alternatives to incarceration as a criminal penalty. (Kurk, Hills. 2; Judiciary) 22, K 433
- HB 1578**, relative to the maintenance of private roads. (Chirichiello, Rock. 6; et al: Public Works and Highways) 22, K 448-449
- HB 1579**, relative to regulation of the practice of out-of-state brokers by the real estate commission. (Baroody, Hills. 43; et al: Commerce and Consumer Affairs) 22, psd 389,594, S conc 915, enr 972 (Chapter 91)
- HB 1580-FN**, removing the real estate commission from the office of professional licensure and certification. (Baroody, Hills. 43; et al: Executive Departments and Administration) 22, study 412
- HB 1581-FN-A**, establishing a special marriage officiant license. (Cushing, Rock. 21; et al: Judiciary) 22, rem 250, K 376-377
- HB 1582-FN**, relative to judicial salaries. (Luther, Belk. 3; Judiciary) 22, K 433
- HB 1583-FN**, allowing for voluntary donations to veterans' organizations through a check-off box on driver's license applications and automobile registration forms. (Massimilla, Graf. 1; et al: Transportation) 22, study 231
- HB 1584-FN**, relative to body-worn cameras for law enforcement officers. (Cushing, Rock. 21; et al: Criminal Justice and Public Safety) 22, am & Ways and Means 253, psd 746, 818, nonconc S am, conf 924, 1100, rep adop 1152, 1161, enr am 1182, enr 1192 (Chapter 322)
- HB 1585-FN**, relative to competitive bidding in Carroll county. (Cordelli, Carr. 4; et al: Municipal and County Government) 22, K 447
- HB 1586-FN**, prohibiting the impersonation of an emergency medical technician or firefighter. (Proulx, Hills. 44; Criminal Justice and Public Safety) 22, am 395-396, psd 595, S study 917
- HB 1587**, relative to limitations on capital reserve funds of counties. (Irwin, Sull. 9; Municipal and County Government) 22, psd 447, 596, S conc 915, enr 972 (Chapter 114)
- HB 1588**, repealing certain prohibitions on employment of state employees. (Umberger, Carr. 2; et al: Executive Departments and Administration) 22, am 412-413, psd 595, S conc 917, enr am 1068-1069, enr 1103 (Chapter 148)
- HB 1589-FN**, prohibiting the transport of aquatic plants and aquatic weeds. (Gottling, Sull. 2; et al: Resources, Recreation and Development) 22, am 451-452, psd 596, conc S am 923, enr am 1103, enr 1171 (Chapter 227)

- HB 1590-FN-A-L**, relative to taxation of short-term rentals. (Butler, Carr. 7; et al: Commerce and Consumer Affairs)  
22, am & Ways and Means (RC) 367-370, psd 746, 818, conc S am 1073, recon (RC) 1074-1076, recon 1076, nonconc S am, conf 1077, 1100, rep adop 1152, (RC) 1161-1163, enr am 1182, enr 1192 (Chapter 323)
- HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (L. Ober, Hills. 37; et al: Special Committee on Public Employee Pension Plans)  
22, Vac Finance 31, am 501-504, psd (RC) 504-507, 597, conflict of interest declared 507, 1074, nonconc S am 1074
- HB 1592-FN**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (Kurk, Hills. 2, Weyler, Rock. 13; et al: Public Employee Pension Plans)  
22, Vac Finance 31, K 414
- HB 1593-FN-L**, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. (Brewster, Merr. 21; Legislative Administration)  
22, rem 250, K 377
- HB 1594-FN**, relative to emergency medical services. (White, Graf. 13; et al: Executive Departments and Administration)  
22, am & Criminal Justice and Public Safety 255, psd 741, 818, S conc 919, enr 1068 (Chapter 149)
- HB 1595-FN**, relative to the rivers management and protection program. (Spang, Straf. 6; et al: Resources, Recreation and Development)  
22, am 452-453, psd 596, conc S am 1096, enr am 1175, enr 1182 (Chapter 287)
- HB 1596-FN-L**, changing the marriage license requirement to a requirement that couples obtain a certificate of notice of intent to marry and a certificate of marriage. (Itse, Rock. 10; et al: Judiciary)  
23, K 433
- HB 1597-FN**, relative to preservation of biological material in a criminal investigation for DNA testing. (Abramson, Rock. 20; et al: (Criminal Justice and Public Safety)  
23, K 396
- HB 1598-FN**, relative to the penalty for driving while intoxicated, third or subsequent offense. (Estevez, Hills. 37; et al: Criminal Justice and Public Safety)  
23, K 396
- HB 1599-FN**, relative to shining a laser pointing device at an aircraft or vessel, or at another person. (Weyler, Rock. 13; et al: Criminal Justice and Public Safety)  
23, am & psd 699, 736, S conc 915, enr 972 (Chapter 92)
- HB 1600-FN**, prohibiting the possession of a flame thrower. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)  
23, K (RC) 700-702
- HB 1601**, relative to certain continuing care communities. (Abel, Graf. 13; et al: Commerce and Consumer Affairs)  
23, am 389-390, psd 594, S conc 919, enr 1068 (Chapter 150)
- HB 1602-FN-A-L**, establishing a road usage fee and making an appropriation therefor. (Major, Rock. 14; et al: Public Works and Highways)  
23, study 256
- HB 1603-FN**, requiring the registration of drug dealers. (J. Belanger, Hills. 27; et al: Criminal Justice and Public Safety)  
23, K 396
- HB 1604-FN-A-L**, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills. (Ladd, Graf. 4; et al: Education)  
23, am & Finance 264-265, ref waived 319, psd 319, S nonconc 739

- HB 1605-FN**, prohibiting the use of latex gloves and utensils in the food service industry. (Suzanne Smith, Graf. 8; et al: Health, Human Services and Elderly Affairs)  
23, am 540, psd (RC) 541-543, 597, S nonconc 1070
- HB 1606-FN**, relative to unlawful sale or possession of alcoholic beverages. (Abramson, Rock. 20; Criminal Justice and Public Safety)  
23, K 396
- HB 1607-FN**, relative to entering dismissals of cases by nolle prosequi. (Brewster, Merr. 21; Judiciary)  
23, K 433
- HB 1608-FN**, relative to uniform prior authorization forms. (Fothergill, Coos 1; et al: Commerce and Consumer Affairs)  
23, am & psd 720-721, 736, conc S am 1073, enr 1173 (Chapter 228)
- HB 1609** – not introduced.
- HB 1610-FN**, legalizing the possession and cultivation of marijuana for personal use. (Sylvia, Belk. 6; et al: Criminal Justice and Public Safety)  
23, rem 383, SO 735, LT (RC) 796-799, died on the table 1237
- HB 1611-FN-L**, allowing a public body or agency to charge a fee for costs of retrieving public records under the right-to-know law. (P. Long, Hills. 10; Judiciary)  
23, K 256
- HB 1612-FN**, relative to the age for purposes of compulsory education. (Hoell, Merr. 23; et al: Education)  
23, K 706
- HB 1613-FN**, relative to criminal prosecution for those charged with prostitution. (Hoell, Merr. 23; et al: Criminal Justice and Public Safety)  
23, K 396
- HB 1614-FN**, relative to the criminal penalty for prostitution. (Edwards, Hills. 11; et al: Criminal Justice and Public Safety)  
23, LT 729-730, died on the table 1237
- HB 1615-FN**, regulating the transfer of dogs from out of state. (Gardner, Straf. 15; et al: Environment and Agriculture)  
23, study 408-409
- HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Packard, Rock. 5; et al: Transportation)  
23, am, LT rej & Ways and Means (3RCs) 342-352, debate printed 352-359, ref waived 362, psd 377, conc S am 895, enr am 916, enr 917 (Chapter 71)
- HB 1617**, relative to funding for housing projects by the New Hampshire housing finance authority. (Sad, Ches. 1; et al: Commerce and Consumer Affairs)  
23, K 390
- HB 1618**, relative to debt adjustment services. (Hunt, Ches. 11; Commerce and Consumer Affairs)  
23, am 390, psd 594, S conc 915, enr am 918, enr 1068 (Chapter 151)
- HB 1619-FN**, relative to the use of narkan. (Hopper, Hills. 2; et al: Health, Human Services and Elderly Affairs)  
23, study 282
- HB 1620-FN-A**, relative to forensic child abuse evaluations and making an appropriation for the training of forensic child abuse specialists. (Brewster, Merr. 21; Children and Family Law)  
23, K 228
- HB 1621-FN-L**, relative to sanctuary cities. (Potucek, Rock. 6; et al: Municipal and County Government)  
23, rem 228, LT 247-248, died on the table 1237
- HB 1622-FN**, relative to radioactive waste and establishing a nuclear waste storage fee. (Cushing, Rock. 21; et al: Science, Technology and Energy)  
24, K (RC) 335-337

- HB 1623-FN**, prohibiting an abortion based on genetic abnormalities. (Cordelli, Carr. 4; et al: Judiciary)  
24, K (RC) 574-577
- HB 1624-FN**, relative to electioneering by public employees. (Gray, Straf. 8; Election Law)  
24, psd 406, 595, S, conc S am 922, enr 1099 (Chapter 176)
- HB 1625-FN**, relative to banning abortion after viability. (Murphy, Hills. 7; et al: Judiciary)  
24, am 577-578, K (RC) 578-580, recon rej (RC) 580-583
- HB 1626-FN**, relative to drug take-back programs. (V. Sullivan, Hills. 16; et al: Criminal Justice and Public Safety)  
24, am & psd 702, 736, S nonconc 917
- HB 1627-FN**, relative to the protection of infants born alive. (Groen, Straf. 10; et al: Judiciary)  
24, K (RC) 317-319
- HB 1628-FN**, relative to human trafficking involving persons under 18 years of age. (Gallagher, Belk. 4; et al: Criminal Justice and Public Safety)  
24, psd 396, 595, conc S am 922, enr 1099 (Chapter 215)
- HB 1629-FN**, relative to disqualifying members of certain groups from receiving public assistance. (Weyler, Rock. 13; et al: Health, Human Services and Elderly Affairs)  
24, K 543
- HB 1630-FN-L**, relative to calculating the base cost of an adequate education. (Ladd, Graf. 4; et al: Education)  
24, am & Finance 265-267, K 742
- HB 1631-FN**, relative to penalties for possession of marijuana. (Schroadter, Rock. 17; et al: Criminal Justice and Public Safety)  
24, psd (RC) 730-733, 736, S nonconc 915
- HB 1632-FN**, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)  
24, K 702-703
- HB 1633-FN**, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation. (Webb, Rock. 6; et al: Labor, Industrial and Rehabilitative Services)  
24, am 435-436, psd 596, S study 917
- HB 1634-FN**, relative to the penalty for possession, use, or sale of fentanyl. (Estevez, Hills. 37; et al: Health, Human Services and Elderly Affairs)  
24, K 426
- HB 1635-FN**, relative to the theft of a firearm during a burglary. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)  
24, K 703
- HB 1636-FN**, prohibiting abortions once an unborn child can feel pain. (Groen, Straf. 10; et al: Judiciary)  
24, K (RC) 583-585
- HB 1637-FN**, relative to school attendance in towns with no public schools. (Boehm, Hills. 20; et al: Education)  
24, SO 735, am & psd 784-785, 819, nonconc S am, conf 1073, 1100, rep adop 1152, (RC) 1163-1165, enr am 1177, enr 1178, veto sustained (RC) 1226-1229
- HB 1638-FN-L**, relative to the allocation of lottery revenues to schools. (Leeman, Straf. 23; et al: Education)  
24, LT rej & K 267
- HB 1639-FN**, relative to bonds for public employees. (Marple, Merr. 24; et al: Executive Departments and Administration)  
24, K (RC) 493-496
- HB 1640-FN**, relative to the expiration of administrative rules. (Hoell, Merr. 23; et al: Executive Departments and Administration)  
24, K 496

- HB 1641-FN-L**, relative to requiring prevailing wages on state-funded public works projects. (Cilley, Straf. 4; et al: Labor, Industrial and Rehabilitative Services)  
24, K (RC) 329-331
- HB 1642-FN-L**, relative to persons executing election affidavits. (Bates, Rock. 7; et al: Election Law)  
24, K 406
- HB 1643** – not introduced.
- HB 1644-FN**, relative to screening and intervention for dyslexia and related disorders, establishing a reading specialist position in the department of education, and making a technical correction. (Balcom, Hills. 21; et al: Education)  
25, am & Finance (RC) 267-270, am 742-744, psd 818, conc S am 1081, enr am 1174, enr 1177 (Chapter 262)
- HB 1645**, relative to carrying a pistol or revolver without a license. (Spillane, Rock. 2; et al: Criminal Justice and Public Safety)  
25, K (RC) 733-735
- HB 1646**, relative to the disclosure of felony convictions by individuals seeking an elected office. (Chirichiello, Rock. 6; et al: Election Law)  
25, K 407
- HB 1647-FN**, repealing laws regulating hawkers and peddlers and itinerant vendors. (Fromuth, Hills. 7; et al: Commerce and Consumer Affairs)  
25, Ways and Means (RC) 370-373, K 747
- HB 1648-FN**, relative to sales by pharmacists under the controlled drug act. (J. Ward, Rock. 19; et al: Health, Human Services and Elderly Affairs)  
25, K 426
- HB 1649-FN**, relative to state inspection of new motor vehicles. (Spillane, Rock. 2; et al: Transportation)  
25, K 457
- HB 1650**, relative to limits in table stakes poker. (Williams, Hills. 4; et al: Ways and Means)  
25, study 462
- HB 1651**, relative to the duties of the commission to review child abuse fatalities. (Berrien, Rock. 18; et al: Children and Family Law)  
25, am 228, psd 248, conc S am 1093, enr 1173 (Chapter 229)
- HB 1652-FN-A**, establishing a teacher preparation for mathematics education scholarship program. (Gile, Merr. 27; et al: Education)  
25, study 253-254
- HB 1653-FN**, establishing a citizen complaint and grievance website. (Brewster, Merr. 21; Legislative Administration)  
25, K 439
- HB 1654-FN**, relative to flying a drone above a correctional facility. (Cushing, Rock. 21; et al: Criminal Justice and Public Safety)  
25, am 397, psd 595, S nonconc 917
- HB 1655-FN**, relative to the municipal registration fee for an agricultural/industrial utility vehicle. (D. McGuire, Merr. 21; et al: Transportation)  
25, am & Ways and Means 231, am 747, psd 818, S conc 915, enr 972 (Chapter 93)
- HB 1656-FN**, relative to exceptions to the real estate transfer tax. (D. McGuire, Merr. 21; et al: Ways and Means)  
25, psd 462, 596, nonconc S am, conf 1078, 1100, conferee change 1104, rep adop 1152, (RC) 1166-1168, enr 1182 (Chapter 288)
- HB 1657-FN**, prohibiting firearms in certain public places. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)  
25, K (RC) 703-705
- HB 1658-FN**, establishing one-stop business permitting. (Kurk, Hills. 2; Executive Departments and Administration)  
25, study 496



- HB 1659**, relative to the implementation of the clean power state implementation plan. (Vose, Rock. 9; et al: Science, Technology and Energy)  
25, K 653
- HB 1660-FN-L**, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund. (J. Belanger, Hills. 27; et al: Judiciary)  
25, am 585-586, psd (RC) 586-588, 597, nonconc S am, conf 1078, 1100, conferee change 1104, S rej rep 1148
- HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation. (Schleien, Hills. 37; et al: Health, Human Services and Elderly Affairs)  
25, rem 383, SO 735, LT rej (RC) 806-808, debate limited (2RCs) 808-813, am 813, psd (RC) 813-816, 819, nonconc S am, conf (RC) 1078-1080, 1100, conferee change 1104, rep not filed 1237
- HB 1662-FN**, relative to abortion-inducing drugs. (Wuelper, Straf. 3; et al: Health, Human Services and Elderly Affairs)  
25, K 427
- HB 1663-FN**, prohibiting buying, selling, and experimenting on unborn infants or bodily remains resulting from abortion. (Souza, Hills. 43; et al: Judiciary)  
25, K (RC) 588-590, recon rej 593
- HB 1664-FN**, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies. (Luneau, Merr. 10; et al: Health, Human Services and Elderly Affairs)  
25, am 427-428, psd 596, S conc 919, enr am 1069, enr 1099 (Chapter 177)
- HB 1665-FN**, adopting the interstate medical licensure compact. (Sherman, Rock. 24, Fothergill, Coos 1; et al: Health, Human Services and Elderly Affairs)  
26, psd 428, 596, S conc 851, enr am 854, enr 916 (Chapter 70)
- HB 1666-FN**, relative to certain definitions in the motor vehicles law. (Goulette, Hills. 23; et al: Transportation)  
26, K 231
- HB 1667-FN-L**, repealing the statutes authorizing the department of education. (L. Christiansen, Hills. 37; Education)  
26, K 254
- HB 1668-FN**, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders. (Flanagan, Hills. 26; et al: Health, Human Services and Elderly Affairs)  
26, K 256
- HB 1669-FN**, establishing a state procedure for conventions to ratify proposed amendments to the United States Constitution. (Abramson, Rock. 20; Legislative Administration)  
26, K 439
- HB 1670-FN**, relative to public employee suggestions for cost-savings measures. (Flanagan, Hills. 26; et al: Finance)  
26, K 507
- HB 1671-FN**, establishing an office of inspector general. (Marple, Merr. 24; et al: Executive Departments and Administration)  
26, K 255
- HB 1672-FN-A-L**, relative to excess federal matching funds, property tax relief, and general fund appropriations. (Brewster, Merr. 21; Ways and Means)  
26, K 258
- HB 1673-FN-L**, establishing a cash balance plan within the state retirement system. (Hess, Merr. 24; et al: Special Committee on Public Employee Pension Plans)  
26, LT (RC) 338-342, died on the table 1237

- HB 1674-FN**, requiring the labeling of genetically engineered foods. (Abramson, Rock. 20; et al: Environment and Agriculture)  
26, K (RC) 273-277
- HB 1675-FN-A**, relative to the legalization and taxation of marijuana. (Brewster, Merr. 21; Criminal Justice and Public Safety)  
26, K 253
- HB 1676**, relative to attachments on benefits under the judicial retirement plan. (Brewster, Merr. 21; Judiciary)  
26, K 210
- HB 1677-FN**, abolishing the supreme court general counsel position and the judicial council. (Brewster, Merr. 21; Judiciary)  
26, conflict of interest declared 209, K 210
- HB 1678-FN**, relative to the information statement contained on a property tax bill. (Fromuth, Hills. 7; et al: Municipal and County Government)  
26, K 623
- HB 1679-FN**, relative to electioneering by a public official. (Lachance, Hills. 8; Election Law)  
26, K 407
- HB 1680-FN**, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs)  
26, am 428, psd 596, conc S am 1094, enr 1103 (Chapter 211)
- HB 1681-FN**, establishing a commission on hypodermic syringes and needles. (Hannon, Straf. 25; et al: Health, Human Services and Elderly Affairs)  
26, am & Criminal Justice and Public Safety 428-429, psd 765, 819, conc S am 923, enr 1103 (Chapter 212)
- HB 1682-FN**, relative to electioneering by public servants and relative to warrant articles. (Hull, Graf. 9; Election Law)  
26, K 407
- HB 1683-FN-L**, relative to lowering the interest rate and costs for the redemption and repurchase of property subject to a tax lien or tax deed. (Hull, Graf. 9; et al: Municipal and County Government)  
26, K 447-448
- HB 1684-FN**, prohibiting the use of public funds, employees, and facilities in assisting or performing abortions. (Hoell, Merr. 23; et al: Judiciary)  
26, K (RC) 590-593
- HB 1685-FN**, relative to mortgage bankers, brokers, and servicers. (Butler, Carr. 7; et al: Commerce and Consumer Affairs)  
26, am & Ways and Means 252, psd 747, 818, conc S am 921, enr am 1175-1177, enr 1182 (Chapter 289)
- HB 1686-FN**, repealing the community heritage investment program. (Ammon, Hills. 40; et al: Finance)  
26, K 507
- HB 1687-L**, relative to governmental liability for personal injury on playground structures. (Hopper, Hills. 2, Woodbury, Hills. 5; et al: Judiciary)  
26, K 594
- HB 1688-FN-L**, relative to governmental liability for negligence claims. (Woodbury, Hills. 5; et al: Judiciary)  
26, K 594
- HB 1689**, relative to operator requirements under the meals and rooms tax. (Sterling, Ches. 14; et al: Ways and Means)  
26, psd 462, 596, S study 851
- HB 1690-FN**, extending the New Hampshire health protection program. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs)  
27, K (RC) 543-546

- HB 1691-FN**, making certain changes to the renewable portfolio standard. (Vose, Rock. 9; et al: Science, Technology and Energy)  
27, K 653-654
- HB 1692-FN**, revising the procedures relating to parole violation and parole revocation. (Abrami, Rock. 19; et al: Criminal Justice and Public Safety)  
27, K 397
- HB 1693-FN-L**, abolishing fluoridation in water. (Marple, Merr. 24; et al: Resources, Recreation and Development)  
27, rem 250, K 377
- HB 1694-FN-A-L**, relative to the legalization and regulation of marijuana. (Hirsch, Merr. 6; et al: Criminal Justice and Public Safety)  
27, K (RC) 373-376
- HB 1695-FN**, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs)  
27, am & Finance 282-285, am 744-745, psd 818, nonconc S am, conf 1077, 1100, rep not filed 1237
- HB 1696-FN**, requesting a modification of the New Hampshire health protection program. (Lachance, Hills. 8; et al: Health, Human Services and Elderly Affairs)  
27, am & Finance (7RCs) 285-311, conflict of interest declared 293, 296, 299, 303, 305, 308, 311, 314, remarks printed 308-309, recon rej (RC) 311-314, am & LT rej (4RCs) 507-526, psd (RC) 526-529, 597, recon rej (RC) 529-531, S conc 823, enr am 822, enr 823 (Chapter 13)
- HB 1697-FN**, relative to the operation and insurance of transportation network companies. (Hunt, Ches. 11; et al: Transportation)  
27, am & Commerce and Consumer Affairs 245-247, am & psd 722-723, 736, nonconc S am, conf 1078, 1100, conferee change 1105, rep adop 1152, 1168, enr 1182 (Chapter 290)
- HB 1698-FN**, relative to an integrative approach to substance abuse disorders. (V. Fraser, Belk. 1; et al: Health, Human Services and Elderly Affairs)  
167, K 429
- HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. (Hinch, Hills. 21; et al: Executive Departments and Administration)  
168, am & Finance 278, rem 741, LT 818, died on the table 1237
- HB 1700-FN**, relative to abuse-deterrent opioid drug products. (Sherman, Rock. 24; et al: Commerce and Consumer Affairs)  
248-249, K 390
- HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics. (Hannon, Straf. 25; Health, Human Services and Elderly Affairs)  
248-249, rem 383, SO 735, LT 816, died on the table 1237
- HB 1702**, changing certain study committee reporting dates.  
rules suspended & intro 1108, psd 1108
- HB 1703-FN**, relative to brew pub licenses.  
rules suspended & intro 1145, psd (RC) 1146-1148
- HB 2016**, relative to the state 10-year transportation improvement program. (Chandler, Carr. 1; Public Works and Highways)  
219, am (RC) 628-633, psd 633, 736, recon rej (RC) 708-710, print remarks rej (RC) 747-750, nonconc S am, conf 1077, 1100, rep adop 1152, 1168, enr am 1182, enr 1192 (Chapter 324)

**2016 SESSION**  
**HOUSE CONCURRENT RESOLUTIONS**

- HCR 10**, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. (Abramson, Rock. 20; et al: State-Federal Relations and Veterans Affairs)  
27, rem 384, SO 735, LT 817-818, died on the table 1237
- HCR 11**, encouraging and commending the governor and council to open meetings of the council with an opening prayer. (Itse, Rock. 10; et al: Executive Departments and Administration)  
27, K 413
- HCR 12**, urging support of the 65/25 initiative in New Hampshire. (Burton, Straf. 6; Legislative Administration)  
27, psd 439, 596, S conc 919, enr am 1069

**2016 SESSION**  
**HOUSE JOINT RESOLUTIONS**

- HJR 3**, calling for the investigation and defunding of Planned Parenthood. (Groen, Straf. 10; et al: Health, Human Services and Elderly Affairs)  
27, rem 209, LT rej (RC) 214-216, K (RC) 216-218
- HJR 4-FN-A**, recognizing the failure of the clerk of the supreme court to process a notice of errors and requiring payment of certain money to Joseph Haas. (Brewster, Merr. 21; Finance)  
27, K 414
- HJR 5-FN-A**, making a payment to Joseph Haas for compensation for unlawful incarceration. (Brewster, Merr. 21; Finance)  
27, K 414
- HJR 6-FN-A**, making a payment to compensate Edward Brown for an illegal action. (Brewster, Merr. 21; Finance)  
27, K 414-415

**2016 SESSION**  
**HOUSE RESOLUTIONS**

- HR 16**, calling on the United States Senate and House of Representatives to consider a constitutional amendment prohibiting campaign contributions unless the donor is eligible to vote in that election. (McConnell, Ches. 12; et al: Legislative Administration)  
27, K 439
- HR 17**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of Governor Maggie Hassan. (Brewster, Merr. 21; Judiciary)  
27, K 433
- HR 18**, directing the house judiciary committee to investigate former superior court justices Robert Morrill and James O'Neill and retired Grafton county superior court clerk Robert Muh for violations of law and constitutions. (Brewster, Merr. 21; Judiciary)  
27, K 433
- HR 19**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of the 5 executive councilors. (Brewster, Merr. 21; Judiciary)  
27, K 433-434
- HR 20**, memorializing State Representative Robert Luther of Laconia.  
740-741, 818
- HR 21**, honoring the victims of Orlando, Florida.  
1183
- HR 22**, memorializing State Representative Marcia Moody of Newmarket.  
1183-1184

## 2016 SESSION

## 2015 SENATE BILLS RETAINED OR REREFERRED

- SB 4**, relative to eligibility to vote and relative to availability of voter information.  
219, am 986-991, psd (RC) 991-993, 1066, S nonconc, conf 1090, rep adop (RC) 1109-1115, S rej rep 1171
- SB 7**, adding duties to the joint health care reform oversight committee.  
K 53
- SB 25-FN**, relative to the administration of epinephrine.  
219, psd 827, 849, enr am 852, enr 914 (Chapter 39)
- SB 45**, establishing a committee to study opioid use in workers' compensation cases.  
am 54-55, psd 116, S nonconc 249
- SB 58**, relative to the United States flag worn as a patch.  
K 131
- SB 59**, relative to the removal of county officers and temporary filling of the office. (Municipal and County Government)  
379, am 1047-1048, recon & psd 1048, 1067, enr 1099 (Chapter 178)
- SB 64**, relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.  
am 37-38, psd 116, S nonconc 249
- SB 66**, naming the lobby of the legislative office building after former speaker of the house George Roberts and relative to naming areas of the state house complex.  
219, am & psd 1046, 1067, debate printed 1046-1047, S nonconc, conf 1088, conferee change 1105, rep adop 1115-1116, 1171, enr am 1178, enr 1182 (Chapter 291)
- SB 67**, establishing a commission to study opioid misuse in New Hampshire.  
K 53
- SB 75**, relative to unfair trade practices targeting veterans.  
study 68
- SB 110-FN**, establishing the administrative supervision act.  
am 68-69, psd (RC) 69-71, 116, S conc 381, enr am 819, enr 851 (Chapter 17)
- SB 115-FN**, relative to the resale of condominium and subdivision time shares.  
K 38
- SB 121-FN-L**, relative to exceptions from the land use change tax for removal of certain materials.  
380, K 860
- SB 127-FN**, relative to the appointment of special Medicaid representatives.  
379, am 939-943, psd 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 265)
- SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.  
379, am 828-829, psd 849, S nonconc, conf 1072, rep adop 1116, 1171, enr 1182 (Chapter 292)
- SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.  
LT rej (2RCs) 145-150, am 150, psd (RC) 151-153, recon (RC) 153-155, LT & rem from table 155, K (2RCs) 156-160, recon rej 160
- SB 137**, relative to cost-sharing parity for oral anti-cancer therapies.  
K 38
- SB 144**, relative to carry-over coverall bingo and shared carry-over coverall bingo.  
am 58-60, psd 116, S conc 249, enr am 379, enr 560 (Chapter 10)
- SB 146**, relative to accessory dwelling units.  
am 161-162, psd (RC) 162-165, 167, S conc 208, enr am 249, enr 382 (Chapter 6)

- SB 152**, relative to criminal history records checks for school employees and designated school volunteers.  
379, SO 834, Criminal Justice and Public Safety 834-836, ref waived 852, psd 913, enr 972 (Chapter 117)
- SB 155-FN-A**, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.  
am 83-87, Finance 87, am 415-418, psd 595, S nonconc, conf 925, rep adop 1116, 1171, enr am 1178, enr 1182 (Chapter 293)
- SB 157-FN**, requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.  
am 110, psd (RC) 110-113, 117, S conc 381, enr 382 (Chapter 7)
- SB 178**, relative to optometrist participation in vision insurance plans.  
K 87
- SB 193-FN-L**, establishing a committee to study the duties of the attorney general and the county attorneys.  
219, K 861
- SB 203-FN**, relative to review of eligibility for workers' compensation.  
am 145, psd 145, 167, S nonconc, conf 925, conferee change 1105, rep adop 1116-1117, 1171, enr 1182 (Chapter 294)
- SB 210-FN**, relative to regulation of septic system evaluators.  
380, am & Finance (RC) 872-877, ref waived & Ways and Means 892, am & psd (RC) 1057-1060, 1067, S conc 1101, enr am 1173, enr 1178 (Chapter 266)
- SB 214-FN**, relative to the transfer of skilled nursing facility beds from the Franklin Regional Hospital.  
K 53
- SB 219-FN**, relative to breastfeeding.  
rem 34, SO 87, LT (RC) 88-91, died on the table 1237
- SB 227**, relative to calculating the cost of an adequate education.  
am 45-49, psd 116, S conc 381, enr 560 (Chapter 8)
- SB 237-FN**, establishing a reporting requirement for gubernatorial inauguration contributions.  
220, psd 829, 849, enr 914 (Chapter 40)
- SB 238-FN**, relative to the workers' compensation appeals board.  
Finance 145, psd & conflict of interest declared 758, enr am 822, enr 851 (Chapter 18)
- SB 239-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax.  
380, am 957-958, psd 1066, S nonconc, conf 1088, rep adop 1117, 1171, enr 1182 (Chapter 295)
- SB 257-FN**, relative to membership in the judicial retirement plan of judges appointed at age 63 or older.  
220, psd 833, 849, enr 914 (Chapter 41)
- SB 265-FN**, establishing the achieving a better life experience (ABLE) savings account program.  
am 49-51, psd 116, S conc 208, enr am 379, enr 560 (Chapter 9)

## 2016 SESSION

### SENATE BILLS

- SB 300**, revising banking, credit union, and trust laws. (Commerce and Consumer Affairs)  
220, am 926, psd 1065, S conc 1101, enr 1173 (Chapter 230)
- SB 301**, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers. (Commerce and Consumer Affairs)  
737, am 926-927, psd 1065, S nonconc, conf 1088, rep not filed 1237
- SB 302-FN-A**, making an appropriation to the department of safety for disaster and emergency response preparedness. (Finance)  
380, K 937

- SB 305**, relative to the brew pub license. (Commerce and Consumer Affairs)  
737, rem 925, am & psd 1062, 1067, S nonconc, conf 1088, conferee change 1105, rep rej, Clerk's note 1117
- SB 306**, enabling the sampling of beer or wine at farmers' markets. (Commerce and Consumer Affairs)  
737, psd 927, 1065, enr 1099 (Chapter 179)
- SB 308**, relative to the definition of small loans and relative to certain fees on small loans. (Commerce and Consumer Affairs)  
820, psd 927, 1065, enr 1099 (Chapter 180)
- SB 309**, relative to sulfur limits of certain liquid fuels. (Science, Technology and Energy)  
380, psd 863, 914, enr 972 (Chapter 94)
- SB 310**, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees. (Executive Departments and Administration)  
737, am 935, psd 1065, S nonconc, conf 1088, conferee change 1105, rep adop 1117, 1171, enr 1182 (Chapter 296)
- SB 312**, relative to epinephrine administration in independent schools. (Education)  
380, psd 827, 849, enr am 852, enr 914 (Chapter 42)
- SB 313**, relative to requirements for licensed estheticians. (Executive Departments and Administration)  
380, am 829, psd 849, S conc 853, enr 916 (Chapter 53)
- SB 314**, relative to the membership of the higher education commission. (Education)  
380, psd 827, 849, enr 914, committee membership amended 1238 (Chapter 43)
- SB 315**, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists. (Executive Departments and Administration)  
380, am & psd 993-998, 1066, S nonconc, conf 1088, rep adop 1118, 1171, enr 1182 (Chapter 297)
- SB 316**, relative to placement decisions by a child's individualized education program team. (Education)  
380, psd 827, 849, enr 914 (Chapter 44)
- SB 318**, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. (Resources, Recreation and Development)  
380, psd 833, 849, enr 856 (Chapter 19)
- SB 319-FN**, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. (Executive Departments and Administration)  
380, am & Finance 829-830, rem 925, psd 1064-1065, 1067, S nonconc, conf 1089, rep adop 1118, 1171, enr 1182 (Chapter 298)
- SB 320**, relative to non-academic surveys administered by a public school to its students. (Education)  
737, am (RC) 837-841, psd 841, 849, S nonconc, conf 925, rep adop (RC) 1118-1121, 1171, enr 1182, S sustained veto 1235
- SB 321**, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. (Science, Technology and Energy)  
737, K 863
- SB 322**, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. (Education)  
380, psd 827, 849, enr 914 (Chapter 45)
- SB 323**, relative to the use of force by employees of hospitals or other health care facilities. (Health, Human Services and Elderly Affairs)  
737, Criminal Justice and Public Safety 861, ref waived 869, psd 914, enr 972 (Chapter 118)
- SB 324**, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Executive Departments and Administration)  
820, vac Resources, Recreation and Development 825, am 1050-1051, LT rej & psd (RC) 1051-1053, 1067, S nonconc, conf 1089, conferee change 1105, rep adop (RC) 1121-1123, 1171, enr am 1178, enr 1182, S sustained veto 1235

- SB 325**, relative to vaccines administered by pharmacists. (Health, Human Services and Elderly Affairs)  
737, study 1036
- SB 326**, relative to the membership of the community college system of New Hampshire board of trustees. (Education)  
820, am 859-860, psd 913, S nonconc, conf 1072, rep adop 1123-1124, 1171, enr am 1178, enr 1182 (Chapter 299)
- SB 328-L**, relative to school districts and school administrative units exercising joint powers with other public agencies. (Education)  
380, psd 827, 849, enr 914 (Chapter 46)
- SB 329**, revising the nurse licensure compact. (Executive Departments and Administration)  
737, am 935, psd 1065, S conc 1101, enr 1173 (Chapter 238)
- SB 330-FN**, relative to licensure of medical imaging professionals and radiation therapists. (Executive Departments and Administration)  
737, psd (RC) 841-843, 849, conflicts of interest declared 843, enr am 854, enr 916 (Chapter 54)
- SB 331**, relative to fulfilling the requirement for a notarized signature electronically. (Judiciary)  
380, K 1039-1040
- SB 332-FN**, relative to state procurement of goods and services. (Executive Departments and Administration)  
380, psd 830, 849, enr am 852, enr 916 (Chapter 55)
- SB 333**, relative to net energy metering. (Science, Technology and Energy)  
380, K 956
- SB 334**, establishing a commission to study the planning functions of the office of energy and planning. (Science, Technology and Energy)  
737, K 902
- SB 336**, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Criminal Justice and Public Safety)  
820, am & psd (2RCs) 972-978, 1066, S conc 1101, enr am 1172, enr 1177, S sustained veto 1235
- SB 337**, establishing a committee to study the immunity of court-appointed special advocates. (Judiciary)  
820, K 949
- SB 339-FN**, relative to required DNA analysis for certain offenses. (Criminal Justice and Public Safety)  
737, rcmt 836-837, am & psd 978, 1066, S conc 1101, enr 1173 (Chapter 239)
- SB 341**, establishing a committee to study guardianship in New Hampshire. (Judiciary)  
820, am 861-862, psd 913, S conc 1070, enr 1103 (Chapter 152)
- SB 342-FN**, relative to the sale or exchange of an interest in a business organization under the business profits tax. (Ways and Means)  
820, am 958-959, psd 1066, S nonconc, conf 1089, rep adop 1124, 1171, enr 1182 (Chapter 300)
- SB 343**, establishing a commission to study apportionment of gross business profits under the business profits tax. (Ways and Means)  
220, am 864, psd 914, S conc 917, enr 1068 (Chapter 153)
- SB 344-FN**, relative to tax credits applicable to client companies of employee leasing companies. (Ways and Means)  
737, psd 864, 914, enr 972 (Chapter 119)
- SB 345**, relative to the definition of agritourism. (Environment and Agriculture)  
820, am 860, psd 913, S conc 1070, enr am 1104, enr 1177 (Chapter 267)
- SB 347**, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. (Municipal and County Government)  
820, K 951
- SB 348**, allowing municipalities to adopt a property tax credit for certain disabled veterans. (Municipal and County Government)  
820, K 951



- SB 352**, naming a cove in Lake Winnepesaukee as Ritson Cove. (Resources, Recreation and Development)  
380, psd 862, 913, enr 972 (Chapter 95)
- SB 353**, relative to names on ballots. (Election Law)  
737, psd 913, enr 972 (Chapter 96)
- SB 356-FN**, relative to agricultural plates for vehicles of commercial fishing operations. (Transportation)  
380, psd 904, 914, enr 972 (Chapter 97)
- SB 357**, relative to driver's license examinations. (Transportation)  
380, psd 863, 914, enr 972 (Chapter 98)
- SB 358**, relative to use of navigation devices in motor vehicles. (Transportation)  
737, am & psd 904, 914, S conc 917, enr 1068 (Chapter 154)
- SB 359**, relative to funding electric vehicle charging stations with municipal registration permits. (Transportation)  
220, psd 863, 914, enr 972 (Chapter 99)
- SB 361**, banning the sale and possession of synthetic urine and urine additives. (Health, Human Services and Elderly Affairs)  
380, am 943-944, psd 1066, S conc 1101, enr 1173 (Chapter 240)
- SB 362**, requiring notice to planning boards of placement of signs on scenic byways. (Transportation)  
820, psd 863, 914, enr 972 (Chapter 120)
- SB 363**, relative to OHRVs and snowmobiles held by a trust. (Resources, Recreation and Development)  
737, am 955, psd 1066, S conc 1101, enr 1173 (Chapter 241)
- SB 364**, establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program. (Public Works and Highways)  
220, am & psd 1049-1050, 1067, S conc 1101, enr 1173 (Chapter 242)
- SB 368-FN-A**, making a capital appropriation for department of environmental services monitoring equipment. (Public Works and Highways)  
737, Finance (RC) 883-886, psd 1003, 1066, enr 1103 (Chapter 155)
- SB 369-FN**, requiring public schools to include drug and alcohol education as part of their health education curriculum. (Education)  
168, am & psd (RC) 177-180, S nonconc, conf 209, rep adop 1124-1125, 1171, enr am 1178, enr 1182 (Chapter 301)
- SB 370**, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Education)  
737, psd 827, 849, enr am 852, enr 914 (Chapter 47)
- SB 371**, relative to school lunch meal payment policies. (Education)  
380, psd 828, 849, enr 914 (Chapter 48)
- SB 373**, relative to the information technology infrastructure in public schools. (Education)  
380, K 828
- SB 374**, requiring the department of environmental services to update coastal flooding trends. (Resources, Recreation and Development)  
820, psd 862, 914, enr 972 (Chapter 121)
- SB 375**, establishing the coastal marine natural resources and environment commission. (Resources, Recreation and Development)  
380, am 862, psd 914, S conc 917, enr am 918, enr 1103 (Chapter 156)
- SB 376-FN**, relative to wildlife corridors. (Fish and Game and Marine Resources)  
820, psd 1035-1036, 1067, enr am 1103, enr 1171 (Chapter 243)
- SB 377**, relative to emission levels of municipal waste combustion units. (Science, Technology and Energy)  
380, psd 863, 914, enr 972 (Chapter 100)
- SB 378**, relative to the availability of net metering tariffs. (Science, Technology and Energy)  
380, am 833-834, psd 849, S conc & enr am 915, enr 916 (Chapter 33)

- SB 379**, relative to additional tests to determine alcohol concentration. (Criminal Justice and Public Safety)  
820, am 932-934, psd 1065, S conc 1101, enr 1173 (Chapter 244)
- SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Resources, Recreation and Development)  
380, SO 466, am 466, psd 466, 467, debate printed 466-467, S conc 739, enr am 819, enr 822 (Chapter 11)
- SB 381**, relative to the combustion of the wood component of construction and demolition debris. (Science, Technology and Energy)  
820, psd & LT rej 1053-1055, 1067, enr 1099, S sustained veto 1235
- SB 383**, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network. (Resources, Recreation and Development)  
737, am 955-956, psd 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 268)
- SB 384**, relative to the feeding of wild deer. (Fish and Game and Marine Resources)  
737, am 939, psd 1066, S nonconc, conf 1089, rep adop 1125, 1171, enr 1182 (Chapter 302)
- SB 386**, adding biodiesel to electric renewable energy sources. (Science, Technology and Energy)  
738, psd 903, 914, enr am 916, enr 972 (Chapter 122)
- SB 387**, relative to the disposition of ward accounts. (Judiciary)  
820, am & psd 1040, 1067, S conc 1101, enr 1173 (Chapter 245)
- SB 388**, requiring a public hearing on proposed changes to the state retiree group insurance plan. (Executive Departments and Administration)  
738, psd 902, 914, enr 972 (Chapter 123)
- SB 389-FN**, relative to the penalty for possession of multiple firearms. (Criminal Justice and Public Safety)  
738, K 837
- SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. (Executive Departments and Administration)  
220, psd 830-831, 849, enr 914 (Chapter 49)
- SB 391**, relative to annulment of certain misdemeanor offenses. (Criminal Justice and Public Safety)  
820, am 934, psd 1065, S nonconc, conf 1089, conferee change 1105, rep adop (RC) 1125-1128, 1171, enr am 1182, enr 1192 (Chapter 325)
- SB 392**, relative to the special training licenses issued by the board of podiatry. (Executive Departments and Administration)  
380, psd 844, 849, enr 914 (Chapter 50)
- SB 394**, relative to criminal history record checks of nursing home administrators. (Criminal Justice and Public Safety)  
820, psd 934, 1065, enr 1099 (Chapter 181)
- SB 396**, relative to compatibility of electrical devices with the National Electric Code and the state building code. (Executive Departments and Administration)  
380, K 999
- SB 397**, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. (Executive Departments and Administration)  
380, psd 831, 849, enr 914, membership amended 1238 (Chapter 51)
- SB 398**, relative to renewal of licenses issued by the board of funeral directors and embalmers. (Executive Departments and Administration)  
381, psd 831, 849, enr 914 (Chapter 52)
- SB 400**, relative to executive branch ethics. (Executive Departments and Administration)  
738, am 831-832, psd 849, S conc 853, enr 916 (Chapter 57)
- SB 401-FN**, relative to insurance coverage for prescription eye drops. (Commerce and Consumer Affairs)  
820, psd 927, 1065, enr am 1182, enr 1192 (Chapter 326)

- SB 402**, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file. (Judiciary)  
820, am 949-950, psd 1066, S nonconc, conf 1089, conferee change 1105, rep not filed 1237
- SB 403**, relative to the sale of gift certificates with expiration dates. (Commerce and Consumer Affairs)  
738, rem 925, psd 1062-1063, 1067, enr 1099, S sustained veto 1235
- SB 404**, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. (Children and Family Law)  
820, K 925
- SB 405**, making changes to the limited liability companies statutes. (Commerce and Consumer Affairs)  
220, am 927-931, psd 1065, S conc 1101, enr 1173 (Chapter 246)
- SB 406-FN**, relative to classification of certain state employee positions and relative to the liquor commission. (Executive Departments and Administration)  
738, Finance 832, am & psd 1003-1004, 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 263)
- SB 409-FN**, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards. (Labor, Industrial and Rehabilitative Services)  
220, am & Finance 881-882, psd 937, 1065, S nonconc, conf 1089, conferee change 1105, rep adop 1128-1129, 1171, enr am 1178, enr 1182 (Chapter 305)
- SB 411**, relative to the merger of lots that are mortgaged and the restoration of involuntarily merged lots. (Commerce and Consumer Affairs)  
220, am 966-967, psd 967, 1066, S nonconc, conf 1089, rep adop 1129, 1171, enr am 1178, enr 1192 (Chapter 327)
- SB 415**, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. (Environment and Agriculture)  
820, K 860
- SB 416**, relative to flexible working arrangements in employment. (Labor, Industrial and Rehabilitative Services)  
820, psd 1043-1044, 1067, enr 1099 (Chapter 182)
- SB 417**, relative to employment contract restrictions upon physicians. (Health, Human Services and Elderly Affairs)  
820, Commerce and Consumer Affairs 861, psd 931, 1065, enr 1103 (Chapter 194)
- SB 418**, adding National Guard members to the absentee voting laws and relative to enrollment of laws. (Election Law)  
738, rem 856, am & Legislative Administration 906, am 951, psd 1066, S conc 1101, enr 1103 (Chapter 183)
- SB 419-FN**, relative to certain changes in the law governing the therapeutic use of cannabis. (Health, Human Services and Elderly Affairs)  
738, am 944-946, psd 1066, S conc 1101, enr 1173 (Chapter 247)
- SB 420-FN**, relative to aid to the permanently and totally disabled. (Health, Human Services and Elderly Affairs)  
738, Finance 861, psd 937, 1065, enr 1099 (Chapter 184)
- SB 421**, relative to liability of governmental units. (Executive Departments and Administration)  
820, study 999
- SB 423**, relating to the right of 17-year olds to register to vote. (Election Law)  
821, psd 993, 1066, enr 1099 (Chapter 185)
- SB 424-FN**, relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor. (Executive Departments and Administration)  
738, am 936-937, psd 1065, S conc 1101, enr 1173 (Chapter 248)

- SB 426**, establishing an end-of-life choices study commission. (Judiciary)  
381, am 1040-1041, K (RC) 1041-1043
- SB 427**, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. (Health, Human Services and Elderly Affairs)  
381, psd 861, 913, enr 917 (Chapter 101)
- SB 429**, changing statutory references from the “Workforce Investment Act” to the “Workforce Innovation and Opportunity Act” and relative to the provision of aggregate statistical reports to certain workforce training programs. (Labor, Industrial and Rehabilitative Services)  
220, am, LT rej & psd 1044-1045, 1067, recon rej 1045, S conc 1101, enr 1173 (Chapter 249)
- SB 430**, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. (Health, Human Services and Elderly Affairs)  
821, K 946
- SB 431**, relative to data submission by insurers. (Commerce and Consumer Affairs)  
821, am 931-932, psd 1065, S conc 1101, enr 1173 (Chapter 250)
- SB 432**, relative to itemized bills for medical services. (Commerce and Consumer Affairs)  
821, study 932
- SB 433**, relative to exclusions from seasonal highway weight limit regulation. (Transportation)  
738, psd 904, 914, enr 972 (Chapter 124)
- SB 436**, relative to after market automobile parts. (Transportation)  
738, psd 956-957, 1066, enr 1099 (Chapter 186)
- SB 437**, establishing a commission to address child hunger in New Hampshire. (Children and Family Law)  
381, am 925, psd 1065, S conc 1101, enr am 1172, enr 1177 (Chapter 269)
- SB 438**, relative to the aesthetic maintenance of highways. (Public Works and Highways)  
220, am 952, psd 1066, S conc 1101, enr 1173 (Chapter 251)
- SB 439**, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Health, Human Services and Elderly Affairs)  
821, psd 946, 1066, enr am 1103, enr 1171 (Chapter 252)
- SB 440-FN**, extending the date of the repeal of certain fees in the shoreland protection act. (Ways and Means)  
381, am 959, psd 1066, S conc 1101, enr 1173 (Chapter 253)
- SB 441-FN**, relative to discounts and admission without charge at state parks. (Resources, Recreation and Development)  
738, rem 827, Ways and Means (RC) 846-849, am & psd 1061, 1067, S nonconc, conf 1089, rep rej (RC) 1130-1133
- SB 442-L**, establishing a commission to study the taxability of lease interests in public property. (Ways and Means)  
738, am 864, psd 914, S conc 917, enr 1068 (Chapter 157)
- SB 444-FN**, relative to lottery retailer incentive awards. (Ways and Means)  
381, Finance 895, am 937-938, psd 1066, S conc 1101, enr 1173 (Chapter 231)
- SB 446**, relative to requirements of the state building code. (Executive Departments and Administration)  
738, psd 844, 849, enr 914, S sustained veto 1235
- SB 447-FN**, establishing a commission to study Narcan. (Criminal Justice and Public Safety)  
168, psd 170-171, 180, enr 208 (Chapter 1)
- SB 449**, relative to weekly payment of workers’ compensation benefits. (Labor, Industrial and Rehabilitative Services)  
738, am 950-951, psd 1066, S nonconc 1102
- SB 450**, relative to investments by insurance companies. (Commerce and Consumer Affairs)  
738, psd 856, 913, enr am 1103, enr 1171 (Chapter 254)

- SB 452-FN**, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. (Executive Departments and Administration) 821, psd 999, 1066, enr 1099 (Chapter 195)
- SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. (Education) 381, Criminal Justice and Public Safety 828, ref waived 852, psd 913, enr am 918, enr 1068 (Chapter 158)
- SB 456-FN**, relative to reporting of receipts and expenditures by candidates and candidate committees. (Election Law) 821, psd 860, 913, enr 972 (Chapter 102)
- SB 458-FN**, relative to reporting by political committees and relative to agreements to share voter information with other states. (Election Law) 738, rem 925, am & psd 1063-1064, 1067, S conc 1101, enr am 1172, enr 1178 (Chapter 270)
- SB 460**, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children. (Education) 381, rem 827, am 845-846, psd 846, 849, S conc 853, enr 916 (Chapter 56)
- SB 461-FN**, relative to expenditures of the Winnepesaukee River Basin control program funds. (Resources, Recreation and Development) 738, psd 863, 914, enr 972 (Chapter 125)
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821, am & Judiciary 856-857, ref waived 865, psd 914, S conc 1070, enr am 1103, enr 1171 (Chapter 232)
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738, am & Executive Departments and Administration 903-904, psd 937, 1065, S conc 1101, enr 1103 (Chapter 199)
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821, am & psd 1024-1026, 1067, S nonconc, conf 1090, rep adop 1138, 1171, enr am 1178, enr 1182, S sustained veto 1235
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738, rem 827, rcmt 845, am 979-982, psd (RC) 982-984, 1066, S nonconc, conf 1090, rep adop 1138-1139, 1171, enr 1182 (Chapter 307)
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381, am & psd 1027-1029, 1067, S nonconc, conf 1090, rep adop 1139-1141, 1171, enr am 1178, enr 1192 (Chapter 329)
- SB 523-FN**, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. (Health, Human Services and Elderly Affairs)  
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- SB 524**, relative to state procurement card rebates. (Executive Departments and Administration)  
739, psd 861, 913, enr 972 (Chapter 127)
- SB 527-FN-A**, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly. (Finance)  
821, am & psd 1029-1031, 1067, S nonconc, conf 1091, rep not filed 1237
- SB 530-FN**, establishing a commission to study volunteer health care services. (Health, Human Services and Elderly Affairs)  
739, am 947-948, psd 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 274)
- SB 532-FN**, relative to prior authorization for substance use treatment. (Commerce and Consumer Affairs)  
821, am (RC) 967-972, psd 972, 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 275)
- SB 533-FN-A-L**, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services, bureau of drug and alcohol services. (Health, Human Services and Elderly Affairs)  
821, am & Finance (RC) 878-881, am & psd (RC) 1031-1035, 1067, S nonconc, conf 1091, rep adop 1144-1145, 1171, enr am 1182, enr 1192, committee membership, duties and reports amended 1238 (Chapter 330)
- SB 534-FN**, to implement a system of care for children's behavioral health. (Health, Human Services and Elderly Affairs)  
739, psd (RC) 1037-1039, 1067, enr 1099 (Chapter 203)
- SB 535-FN-A**, establishing a grant program for high schools for heroin and opiate prevention education. (Health, Human Services and Elderly Affairs)  
821, rem 856, K 913

- SB 536**, relative to emergency interim relief under the child protection act. (Children and Family Law)  
739, rem 925, psd 1062, 1067, enr 1099 (Chapter 200)
- SB 537**, relative to record management of abuse and neglect reports. (Children and Family Law)  
739, K (RC) 963-966
- SB 538**, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities. (Children and Family Law)  
739, rem 925, psd 1062, 1067, enr 1099 (Chapter 201)
- SB 539**, relative to access to records under the child protection act. (Criminal Justice and Public Safety)  
821, vac Children and Family Law 826, psd 926, 1065, enr 1103 (Chapter 202)
- SB 540-FN**, relative to the possession, use, or sale of kratom by any person under 18 years of age. (Criminal Justice and Public Safety)  
821, LT 984, died on the table 1238
- SB 541**, establishing a commission to study provider rates. (Health, Human Services and Elderly Affairs)  
821, K 948
- SB 543-FN**, relative to private transferring of adopted children. (Children and Family Law)  
739, Judiciary 856, ref waived 865, psd 914, enr am 918, enr 1068 (Chapter 159)
- SB 544**, establishing a committee to study funding options for the Internet crimes against children task force. (Criminal Justice and Public Safety)  
821, psd 934-935, 1065, enr 1103 (Chapter 160)
- SB 545**, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention Day, and August as Cure all Cancer month. (Executive Departments and Administration)  
739, am 844-845, psd 845, 849, S conc 915, enr 972 (Chapter 128)
- SB 546-FN**, relative to petitions for verification of checklists. (Election Law)  
821, K 901-902
- SB 547**, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. (State-Federal Relations and Veterans Affairs)  
821, K 1055
- SB 549-FN**, relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission. (Public Works and Highways)  
739, am 952-955, psd 1066, S conc 1101, enr am 1172, enr 1177 (Chapter 276)
- SB 550-FN**, relative to the maximum gross weight for dump trailers. (Transportation)  
739, psd 1057, 1067, enr 1099 (Chapter 193)
- SB 552-FN**, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means)  
822, study 864-865
- SB 553**, relative to implementation of the Medicaid managed care program. (Health, Human Services and Elderly Affairs)  
822, am 948-949, psd 1066, S conc 1101, enr 1103 (Chapter 204)
- SB 576-FN-A**, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. (Criminal Justice and Public Safety)  
168, psd (2RCs) 171-176, 180, enr am 207, enr 208 (Chapter 2)

## 2016 SESSION

### SENATE CONCURRENT RESOLUTIONS

- SCR 3**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. (State-Federal Relations and Veterans Affairs)  
822, LT 1055-1056, rem (RC) 1081-1083, LT (RC) 1083-1085, died on the table 1238



**SCR 4**, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. (State-Federal Relations and Veterans Affairs)

822, LT 1056-1057, rem (RC) 1086-1088, died on the table 1238

## 2016 SESSION

### 2015 CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS RETAINED IN HOUSE COMMITTEE

**CACR 2**, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund. rem 34, SO 180, K (RC) 192-195

**CACR 5**, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

LT 140-141, died on the table 1238

## 2016 SESSION

### CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS

**CACR 13**, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts. (Brewster, Merr. 21; Judiciary)  
27, LT 546-547, died on the table 1238

**CACR 14**, relating to government of right. Providing that the people of New Hampshire have the right of local community self government. (Emerson, Ches. 11; et al: Legislative Administration)  
27, K 436

**CACR 15**, relating to the election of judges. Providing that judges be elected for specific terms. (Brewster, Merr. 21; Judiciary)  
28, SO 219, K (RC) 235-237

**CACR 16**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. (Itse, Rock. 10; et al: Children and Family Law)  
28, LT (RC) 681-684, died on the table 1238

**CACR 17**, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting. (Bates, Rock. 7; et al: Election Law)  
28, LT (RC) 463-465, died on the table 1238

**CACR 18**, relating to compensation of legislators. Providing that members of the general court shall receive \$2,500 per year. (Gannon, Rock. 4; et al: Legislative Administration)  
28, K 436

**CACR 19**, relating to the taking of human life. Providing that the general court shall not appropriate nor authorize any expenditure to benefit any corporation having as its object the taking of innocent human life. (Hoell, Merr. 23; et al: Legislative Administration)  
28, K 436

**CACR 20**, relating to the veto of bills. Providing that a three-fifths vote of both houses of the general court be required to override a veto. (Hoell, Merr. 23; et al: Legislative Administration)  
28, K 437

**CACR 21**, relating to the attorney general. Providing that the attorney general be chosen by ballot of the general court. (Sylvia, Belk. 6; et al: Executive Departments and Administration)  
28, am 483-484, LT (RC) 484-487, died on the table 1238

**CACR 22**, relating to the right to privacy. Providing that an individual's right to live free from governmental interference is fundamental. (Kurk, Hills. 2; et al: Judiciary)  
28, am 547, K (RC) 547-550

**CACR 23**, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes. (Hunt, Ches. 11; et al: Election Law)  
28, LT (RC) 468-470, died on the table 1238

- CACR 24**, relating to the right to travel. Providing that all people have the right to travel within the state in their choice of privately owned conveyance. (Goulette, Hills. 23; et al: Transportation) 28, K 455
- CACR 25**, relating to legislation. Providing that bills dealing with assessments, rates, and taxes shall originate in the house of representatives. (Itse, Rock. 10; et al: Legislative Administration) 28, K 437
- CACR 26** – not introduced.
- CACR 27**, relating to the operating budget. Providing that the state shall not spend more on operating budget expenses than it receives in revenue plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures. (Finance) 822, am & LT (RC) 999-1003, died on the table 1238

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